

20101412er

1  
2 An act relating to obsolete or outdated agency plans,  
3 reports, and programs; repealing s. 13.01, F.S., which  
4 establishes the Florida Commission on Interstate  
5 Cooperation; repealing s. 13.02, F.S., which  
6 establishes the Senate Committee on Interstate  
7 Cooperation; repealing s. 13.03, F.S., which  
8 establishes the House of Representatives Committee on  
9 Interstate Cooperation; repealing s. 13.04, F.S.,  
10 which provides terms and functions of both House and  
11 Senate standing committees; repealing s. 13.05, F.S.,  
12 which establishes the Governor's Committee on  
13 Interstate Cooperation; repealing s. 13.06, F.S.,  
14 which designates informal names of the committees and  
15 the Commission; repealing s. 13.07, F.S., which  
16 provides the functions of the commission; repealing s.  
17 13.08, F.S., which establishes the powers and duties  
18 of the commission; repealing s. 13.09, F.S., which  
19 declares the Council of State Government to be a joint  
20 governmental agency of Florida and other states;  
21 transferring and renumbering s. 13.10, F.S., relating  
22 to the appointment of Commissioners to the National  
23 Conference of Commissioners on Uniform State Laws;  
24 repealing s. 13.90, F.S., which establishes the  
25 Florida Legislative Law Revision Council; repealing s.  
26 13.91, F.S., which establishes the membership of the  
27 council; repealing s. 13.92, F.S., which establishes  
28 the term limits for members appointed to the council;  
29 repealing s. 13.93, F.S., which declares all serving

20101412er

30 members of the council eligible for reappointment;  
31 repealing s. 13.94, F.S., which designates the chair  
32 and vice chair of the council; repealing s. 13.95,  
33 F.S., which declares that the members of the council  
34 shall serve without compensation; repealing s. 13.96,  
35 F.S., which provides the functions of the council;  
36 repealing s. 13.97, F.S., which provides that the  
37 council shall be the recipient of proposed changes and  
38 may make recommendations on such proposals; repealing  
39 s. 13.98, F.S., which provides that the council submit  
40 a report of all actions taken at each regular session  
41 of the Legislature; repealing s. 13.99, F.S.,  
42 regarding personnel of the council; repealing s.  
43 13.992, F.S., which defines the powers of the council;  
44 repealing s. 13.993, F.S., which authorizes the  
45 council to procure information from state, municipal  
46 corporations, or governmental department agencies;  
47 repealing s. 13.994, F.S., which authorizes the  
48 council to create rules and regulations for the  
49 conduct of business; repealing s. 13.995, F.S., which  
50 requires appropriations to carry out the purposes of  
51 the council; repealing s. 13.996, F.S., which provides  
52 that the first duty of the council shall be to  
53 complete revision of the criminal laws of the state of  
54 Florida; repealing s. 14.25, F.S., relating to the  
55 Florida State Commission on Hispanic Affairs; amending  
56 s. 14.26, F.S.; revising reporting requirements of the  
57 Citizen's Assistance Office; repealing s. 14.27, F.S.,  
58 relating to the Florida Commission on African-American

20101412er

59 Affairs; repealing s. 16.58, F.S., relating to the  
60 Florida Legal Resource Center; amending s. 17.32,  
61 F.S.; revising the recipients of the annual report of  
62 trust funds by the Chief Financial Officer; amending  
63 s. 17.325, F.S.; deleting a reporting requirement  
64 relating to the governmental efficiency hotline;  
65 amending s. 20.057, F.S.; deleting a reporting  
66 requirement of the Governor relating to interagency  
67 agreements to delete duplication of inspections;  
68 repealing s. 20.316(4)(e), (f), and (g), F.S.,  
69 relating to information systems of the Department of  
70 Juvenile Justice; amending s. 39.4086, F.S.; deleting  
71 provisions relating to a report by the State Courts  
72 Administrator on a guardian ad litem program for  
73 dependent children; amending s. 98.255, F.S.; deleting  
74 provisions relating to a report on the effectiveness  
75 of voter education programs; amending s. 110.1227,  
76 F.S.; revising provisions relating to a report by the  
77 board of directors of the Florida Long-Term-Care Plan;  
78 amending s. 120.542, F.S.; deleting provisions  
79 relating to reports of petitions filed for variances  
80 to agency rules; repealing s. 153.952, F.S., relating  
81 to legislative findings and intent concerning  
82 privately owned wastewater systems and facilities;  
83 amending s. 161.053, F.S.; deleting a provision  
84 relating to a report on the coastal construction  
85 control line; amending s. 161.161, F.S.; deleting a  
86 provision requiring a report on funding for beach  
87 erosion control; repealing s. 163.2526, F.S., relating

20101412er

88 to the review and evaluation of urban infill; amending  
89 s. 163.3167, F.S.; deleting provisions relating to  
90 local government comprehensive plans; amending s.  
91 163.3177, F.S.; revising requirements for  
92 comprehensive plans; amending s. 163.3178, F.S.;  
93 deleting a duty of the Coastal Resources Interagency  
94 Management Committee to submit certain  
95 recommendations; repealing s. 163.519(12), F.S.,  
96 relating to the requirement for a report on  
97 neighborhood improvement districts by the Department  
98 of Legal Affairs; repealing s. 186.007(9), F.S.;  
99 deleting provisions relating to a committee to  
100 recommend to the Governor changes in the state  
101 comprehensive plan; amending ss. 189.4035 and 189.412,  
102 F.S.; revising requirements relating to dissemination  
103 of the official list of special districts; amending s.  
104 206.606, F.S.; revising provisions relating to a  
105 report on the Florida Boating Improvement Program;  
106 amending s. 212.054, F.S.; deleting the requirement  
107 for a report on costs of administering the  
108 discretionary sales surtax; amending s. 212.08, F.S.;  
109 deleting a requirement for a report on the sales tax  
110 exemption for machinery and equipment used in  
111 semiconductor, defense, or space technology production  
112 and research and development; repealing s. 213.0452,  
113 F.S., relating to a report on the structure of the  
114 Department of Revenue; repealing s. 213.054, F.S.,  
115 relating to monitoring and reporting regarding persons  
116 claiming tax exemptions; amending s. 215.70, F.S.;

20101412er

117 requiring the State Board of Administration to report  
118 to the Governor when funds need to be appropriated to  
119 honor the full faith and credit of the state; amending  
120 s. 216.011, F.S.; redefining the term "long-range  
121 program plan"; repealing s. 216.181(10)(c), F.S.,  
122 relating to reports of filled and vacant positions and  
123 salaries; amending s. 252.55, F.S.; revising certain  
124 reporting requirements relating to the Civil Air  
125 Patrol; amending s. 253.7825, F.S.; deleting  
126 provisions relating to the plan for the Cross Florida  
127 Greenways State Recreation and Conservation Area;  
128 repealing s. 253.7826, F.S., relating to structures of  
129 the Cross Florida Barge Canal; repealing s. 253.7829,  
130 F.S., relating to a management plan for retention or  
131 disposition of lands of the Cross Florida Barge Canal;  
132 amending s. 259.037, F.S.; revising provisions  
133 relating to a report of the Land Management Uniform  
134 Accounting Council; repealing s. 267.074(4), F.S.,  
135 relating to a plan for the State Historical Marker  
136 Program; repealing s. 284.50(3), F.S., relating to a  
137 requirement for a report by the Interagency Advisory  
138 Council on Loss Prevention and certain department  
139 heads; repealing s. 287.045(11), F.S., relating to a  
140 requirement for reports on use of recycled products;  
141 repealing s. 288.1185, F.S., relating to the Recycling  
142 Markets Advisory Committee; amending s. 288.1229,  
143 F.S.; revising duties of the direct-support  
144 organization to support sports-related industries and  
145 amateur athletics; repealing s. 288.7015(4), F.S.,

20101412er

146 relating to a requirement for a report by the rules  
147 ombudsman in the Executive Office of the Governor;  
148 amending s. 288.7771, F.S.; revising a reporting  
149 requirement of the Florida Export Finance Corporation;  
150 repealing s. 288.8175(8), (10), and (11), F.S.,  
151 relating to certain responsibilities of the Department  
152 of Education with respect to linkage institutes  
153 between postsecondary institutions in this state and  
154 foreign countries; repealing s. 288.853(5), F.S.,  
155 relating to the requirement for a report on assistance  
156 to and commerce with Cuba; amending s. 288.904, F.S.;  
157 deleting an obsolete provision requiring the creation  
158 of advisory committees on international and small  
159 business issues; amending s. 288.95155, F.S.; revising  
160 requirements for a report by Enterprise Florida, Inc.,  
161 on the Florida Small Business Technology Growth  
162 Program; amending s. 288.9604, F.S.; deleting a  
163 requirement for a report by the Florida Development  
164 Finance Corporation; amending s. 288.9610, F.S.;  
165 revising provisions relating to annual reporting by  
166 the corporation; amending s. 292.05, F.S.; revising  
167 requirements relating to a report by the Department of  
168 Veterans' Affairs; repealing ss. 296.16 and 296.39,  
169 F.S., relating to reports by the executive director of  
170 the Department of Veterans' Affairs; repealing s.  
171 315.03(12)(c), F.S., relating to legislative review of  
172 a loan program of the Florida Seaport Transportation  
173 and Economic Development Council; amending s. 319.324,  
174 F.S.; deleting provisions relating to funding a report

20101412er

175 on odometer fraud prevention and detection; repealing  
176 s. 322.181, F.S., relating to a study by the  
177 Department of Highway Safety and Motor Vehicles on  
178 driving by the elderly; repealing s. 322.251(7)(c),  
179 F.S., relating to a plan to indemnify persons wanted  
180 for passing worthless bank checks; amending s.  
181 373.0391, F.S.; deleting provisions relating to  
182 provision of certain information by water management  
183 districts; amending s. 373.046, F.S.; deleting an  
184 obsolete provision requiring a report by the Secretary  
185 of Environmental Protection; repealing s. 376.121(14),  
186 F.S., relating to a report by the Department of  
187 Environmental Protection on damage to natural  
188 resources; repealing s. 376.17, F.S., relating to  
189 reports of the department to the Legislature;  
190 repealing s. 376.30713(5), F.S., relating to a report  
191 on preapproved advanced cleanup; amending s. 379.2211,  
192 F.S.; revising provisions relating to a report by the  
193 Fish and Wildlife Conservation Commission on waterfowl  
194 permit revenues; amending s. 379.2212, F.S.; revising  
195 provisions relating to a report by the commission on  
196 wild turkey permit revenues; repealing s. 379.2523(8),  
197 F.S., relating to duties of the Fish and Wildlife  
198 Conservation Commission concerning an aquaculture  
199 plan; amending s. 380.06, F.S.; deleting provisions on  
200 transmission of revisions relating to statewide  
201 guidelines and standards for developments of regional  
202 impact; repealing s. 380.0677(3), F.S., relating to  
203 powers of the Green Swamp Land Authority; repealing s.

20101412er

204 381.0011(3), F.S., relating to an inclusion in the  
205 Department of Health's strategic plan; repealing s.  
206 381.0036, F.S., relating to planning for  
207 implementation of educational requirements concerning  
208 HIV and AIDS; repealing s. 381.731, F.S., relating to  
209 strategic planning of the Department of Health;  
210 amending s. 381.795, F.S.; deleting provisions  
211 relating to studies by the Department of Health on  
212 long-term, community-based supports; amending s.  
213 381.931, F.S.; deleting provisions relating to the  
214 duty of the Department of Health to develop a report  
215 on Medicaid expenditures; amending s. 383.19, F.S.;  
216 revising provisions relating to reports by hospitals  
217 contracting to provide perinatal intensive care  
218 services; repealing s. 383.21, F.S., relating to  
219 reviews of perinatal intensive care service programs;  
220 amending s. 383.2161, F.S.; revising requirements  
221 relating to a report by the Department of Health on  
222 maternal and child health; repealing s. 394.4573(4),  
223 F.S., relating to the requirement for a report by the  
224 Department of Children and Family Services on staffing  
225 state mental health facilities; amending s. 394.4985,  
226 F.S.; deleting provisions relating to plans by  
227 department districts; repealing s. 394.82, F.S.,  
228 relating to the funding of expanded community mental  
229 health services; repealing s. 394.9083, F.S., relating  
230 to the Behavioral Health Services Integration  
231 Workgroup; repealing s. 395.807(2)(c), F.S., relating  
232 to requirements for a report on the retention of

20101412er

233 family practice residents; repealing s. 397.332(3),  
234 F.S., relating to the requirement for a report by the  
235 director of the Office of Drug Control; repealing s.  
236 397.94(1), F.S., relating to children's substance  
237 abuse services plans by service districts of the  
238 Department of Children and Family Services; repealing  
239 s. 400.148(2), F.S., relating to a pilot program of  
240 the Agency for Health Care Administration for a  
241 quality-of-care contract management program; amending  
242 s. 400.967, F.S.; deleting provisions relating to a  
243 report by the Agency for Health Care Administration on  
244 intermediate care facilities for developmentally  
245 disabled persons; repealing s. 402.3016(3), F.S.,  
246 relating to the requirement for a report by the agency  
247 on Early Head Start collaboration grants; repealing s.  
248 402.40(9), F.S., relating to submission to the  
249 Legislature of certain information related to child  
250 welfare training; amending s. 403.4131, F.S.; deleting  
251 provisions relating to a report on the adopt-a-highway  
252 program; repealing s. 403.706(2)(d), F.S., relating to  
253 local government solid waste responsibilities;  
254 repealing s. 406.02(4)(a), F.S., relating to the  
255 requirement for a report by the Medical Examiners  
256 Commission; amending s. 408.033, F.S.; revising  
257 provisions relating to reports by local health  
258 councils; repealing s. 408.914(4), F.S., relating to  
259 the requirement of the Agency for Health Care  
260 Administration to submit to the Governor a plan on the  
261 comprehensive health and human services eligibility

20101412er

262 access system; repealing s. 408.915(3)(i), F.S.,  
263 relating to the requirement for periodic reports on  
264 the pilot program for such access; repealing s.  
265 408.917, F.S., relating to an evaluation of the pilot  
266 project; amending s. 409.1451, F.S.; revising  
267 requirements relating to reports on independent living  
268 transition services; repealing s. 409.152, F.S.,  
269 relating to service integration and family  
270 preservation; repealing s. 409.1679(1) and (2), F.S.,  
271 relating to reports concerning residential group care  
272 services; amending s. 409.1685, F.S.; revising  
273 provisions relating to reports by the Department of  
274 Children and Family Services on children in foster  
275 care; repealing s. 409.221(4)(k), F.S., relating to  
276 reports on consumer-directed care; amending s.  
277 409.25575, F.S.; deleting provisions relating to a  
278 report by the Department of Revenue regarding a  
279 quality assurance program for privatization of  
280 services; amending s. 409.2558, F.S.; deleting  
281 provisions relating to the Department of Revenue's  
282 solicitation of recommendations related to a rule on  
283 undistributable collections; repealing s. 409.441(3),  
284 F.S., relating to the state plan for the handling of  
285 runaway youths; amending s. 409.906, F.S.; deleting a  
286 requirement for reports of child-welfare-targeted case  
287 management projects; amending s. 409.912, F.S.;  
288 revising provisions relating to duties of the agency  
289 with respect to cost-effective purchasing of health  
290 care; repealing s. 410.0245, F.S., relating to a study

20101412er

291 of service needs of the disabled adult population;  
292 repealing s. 410.604(10), F.S., relating to a  
293 requirement for the Department of Children and Family  
294 Services to evaluate the community care for disabled  
295 adults program; amending s. 411.0102, F.S.; deleting  
296 provisions relating to use of child care purchasing  
297 pool funds; repealing s. 411.221, F.S., relating to  
298 prevention and early assistance; repealing s. 411.242,  
299 F.S., relating to the Florida Education Now and Babies  
300 Later program; amending s. 414.14, F.S.; deleting a  
301 provision relating to a report by the Secretary of  
302 Children and Family Services on public assistance  
303 policy simplification; repealing s. 414.36(1), F.S.,  
304 relating to a plan for privatization of recovery of  
305 public assistance overpayment claims; repealing s.  
306 414.391(3), F.S., relating to a plan for automated  
307 fingerprint imaging; amending s. 415.1045, F.S.;  
308 deleting a requirement for a study by the Office of  
309 Program Policy Analysis and Government Accountability  
310 on documentation of exploitation, abuse, or neglect;  
311 amending s. 420.622, F.S.; revising requirements  
312 relating to a report by the State Council on  
313 Homelessness; repealing s. 420.623(4), F.S., relating  
314 to the requirement of a report by the Department of  
315 Community Affairs on homelessness; amending s.  
316 427.704, F.S.; revising requirements relating to a  
317 report by the Public Service Commission on a  
318 telecommunications access system; amending s. 427.706,  
319 F.S.; revising requirements relating to a report by

20101412er

320 the advisory committee on telecommunications access;  
321 amending s. 429.07, F.S.; deleting provisions relating  
322 to a report by the Department of Elderly Affairs on  
323 extended congregate care facilities; amending s.  
324 429.41, F.S.; deleting provisions relating to a report  
325 concerning standards for assisted living facilities;  
326 amending s. 430.04, F.S.; revising duties of the  
327 Department of Elderly Affairs with respect to certain  
328 reports and recommendations; amending s. 430.502,  
329 F.S.; revising requirements with respect to reports by  
330 the Alzheimer's Disease Advisory Committee; amending  
331 s. 445.006, F.S.; deleting provisions relating to a  
332 strategic plan for workforce development; repealing s.  
333 455.2226(8), F.S., relating to the requirement of a  
334 report by the Board of Funeral Directors and  
335 Embalmers; repealing s. 455.2228(6), F.S., relating to  
336 the requirement of reports by the Barbers' Board and  
337 the Board of Cosmetology; amending s. 456.005, F.S.;  
338 revising requirements relating to long-range planning  
339 by professional boards; amending s. 456.025, F.S.;  
340 revising requirements relating to a report to  
341 professional boards by the Department of Health;  
342 repealing s. 456.034(6), F.S., relating to reports by  
343 professional boards about HIV and AIDS; amending s.  
344 517.302, F.S.; deleting a requirement for a report by  
345 the Office of Financial Regulation on deposits into  
346 the Anti-Fraud Trust Fund; repealing s. 531.415(3),  
347 F.S., relating to the requirement of a report by the  
348 Department of Agriculture and Consumer Services on

20101412er

349 fees; repealing s. 570.0705(3), F.S., relating to the  
350 requirement of a report by the Commissioner of  
351 Agriculture concerning advisory committees; amending  
352 s. 570.0725, F.S.; requiring that the Department of  
353 Agriculture and Consumer Services submit an electronic  
354 report to the Legislature concerning support for food  
355 recovery programs; repealing s. 570.543(3), F.S.,  
356 relating to legislative recommendations of the Florida  
357 Consumers' Council; amending s. 590.33, F.S.; deleting  
358 a reference to the Florida Commission on Interstate  
359 Cooperation to conform to changes made by the act;  
360 amending s. 603.204, F.S.; revising requirements  
361 relating to the South Florida Tropical Fruit Plan;  
362 amending s. 627.64872, F.S.; deleting provisions  
363 relating to an interim report by the board of  
364 directors of the Florida Health Insurance Plan;  
365 prohibiting the board from acting to implement the  
366 plan until certain funds are appropriated; amending s.  
367 744.708, F.S.; revising provisions relating to audits  
368 of public guardian offices and to reports concerning  
369 those offices; amending s. 790.22, F.S.; deleting  
370 provisions relating to reports by the Department of  
371 Juvenile Justice concerning certain juvenile offenses  
372 that involve weapons; amending s. 943.125, F.S.;  
373 deleting provisions relating to reports by the Florida  
374 Sheriffs Association and the Florida Police Chiefs  
375 Association concerning law enforcement agency  
376 accreditation; amending s. 943.68, F.S.; revising  
377 requirements relating to reports by the Department of

20101412er

378 Law Enforcement concerning transportation and  
379 protective services; amending s. 944.801, F.S.;  
380 deleting a requirement to deliver to specified  
381 officials copies of certain reports concerning  
382 education of state prisoners; repealing s. 945.35(10),  
383 F.S., relating to the requirement of a report by the  
384 Department of Corrections concerning HIV and AIDS  
385 education; repealing s. 958.045(9), F.S., relating to  
386 a report by the department concerning youthful  
387 offenders; amending s. 960.045, F.S.; revising  
388 requirements relating to reports by the Department of  
389 Legal Affairs with respect to victims of crimes;  
390 repealing s. 985.02(8)(c), F.S., relating to the  
391 requirement of a study by the Office of Program Policy  
392 Analysis and Government Accountability on programs for  
393 young females within the Department of Juvenile  
394 Justice; amending s. 985.047, F.S.; deleting  
395 provisions relating to a plan by a multiagency task  
396 force on information systems related to delinquency;  
397 amending s. 985.47, F.S.; deleting provisions relating  
398 to a report on serious or habitual juvenile offenders;  
399 amending s. 985.483, F.S.; deleting provisions  
400 relating to a report on intensive residential  
401 treatment for offenders younger than 13 years of age;  
402 repealing s. 985.61(5), F.S., relating to a report by  
403 the Department of Juvenile Justice on early  
404 delinquency intervention; amending s. 985.622, F.S.;  
405 deleting provisions relating to submission of the  
406 multiagency plan for vocational education; repealing

20101412er

407 s. 985.632(7), F.S., relating to a report by the  
408 Department of Juvenile Justice on funding incentives  
409 and disincentives; repealing s. 1003.61(4), F.S.,  
410 relating to evaluation of a pilot attendance project  
411 in Manatee County; repealing s. 1004.50(6), F.S.,  
412 relating to the requirement of a report by the  
413 Governor concerning unmet needs in urban communities;  
414 repealing s. 1006.0605, F.S., relating to students'  
415 summer nutrition; repealing s. 1006.67, F.S., relating  
416 to a report of campus crime statistics; amending s.  
417 1009.70, F.S.; deleting provisions relating to a  
418 report on a minority law school scholarship program;  
419 amending s. 1011.32, F.S.; requiring the Governor to  
420 be given a copy of a report related to the Community  
421 College Facility Enhancement Challenge Grant Program;  
422 amending s. 1011.62, F.S.; deleting provisions  
423 relating to recommendations for implementing the  
424 extended-school-year program; repealing s.  
425 1012.05(2)(1), F.S., relating to a plan concerning  
426 teacher recruitment and retention; amending s.  
427 1012.42, F.S.; deleting provisions relating to a plan  
428 of assistance for teachers teaching out-of-field;  
429 amending s. 1013.11, F.S.; deleting provisions  
430 relating to transmittal of a report on physical plant  
431 safety; amending ss. 161.142, 163.065, 163.2511,  
432 163.2514, 163.3202, 259.041, 259.101, 369.305,  
433 379.2431, 381.732, 381.733, 411.01, 411.232, and  
434 445.006, F.S., conforming cross-references to changes  
435 made by the act; amending s. 1001.42, F.S.; deleting

20101412er

436 provisions that require each district school board to  
437 reduce paperwork and data collection and report its  
438 findings and potential solutions on reducing burdens  
439 associated with such collection; amending s. 1008.31,  
440 F.S.; requiring that the Commissioner of Education  
441 monitor and review the collection of paperwork, data,  
442 and reports by school districts; requiring that the  
443 commissioner complete an annual review of such  
444 collection by a specified date each year; requiring  
445 that the commissioner prepare a report, by a specified  
446 date each year, assisting the school districts with  
447 eliminating or consolidating paperwork, data, and  
448 reports by providing suggestions, technical  
449 assistance, and guidance; providing an effective date.

450  
451 Be It Enacted by the Legislature of the State of Florida:

- 452  
453 Section 1. Section 13.01, Florida Statutes, is repealed.  
454 Section 2. Section 13.02, Florida Statutes, is repealed.  
455 Section 3. Section 13.03, Florida Statutes, is repealed.  
456 Section 4. Section 13.04, Florida Statutes, is repealed.  
457 Section 5. Section 13.05, Florida Statutes, is repealed.  
458 Section 6. Section 13.06, Florida Statutes, is repealed.  
459 Section 7. Section 13.07, Florida Statutes, is repealed.  
460 Section 8. Section 13.08, Florida Statutes, is repealed.  
461 Section 9. Section 13.09, Florida Statutes, is repealed.  
462 Section 10. Section 13.10, Florida Statutes, is transferred  
463 and renumbered as section 11.249, Florida Statutes.  
464 Section 11. Section 13.90, Florida Statutes, is repealed.

20101412er

465 Section 12. Section 13.91, Florida Statutes, is repealed.  
466 Section 13. Section 13.92, Florida Statutes, is repealed.  
467 Section 14. Section 13.93, Florida Statutes, is repealed.  
468 Section 15. Section 13.94, Florida Statutes, is repealed.  
469 Section 16. Section 13.95, Florida Statutes, is repealed.  
470 Section 17. Section 13.96, Florida Statutes, is repealed.  
471 Section 18. Section 13.97, Florida Statutes, is repealed.  
472 Section 19. Section 13.98, Florida Statutes, is repealed.  
473 Section 20. Section 13.99, Florida Statutes, is repealed.  
474 Section 21. Section 13.992, Florida Statutes, is repealed.  
475 Section 22. Section 13.993, Florida Statutes, is repealed.  
476 Section 23. Section 13.994, Florida Statutes, is repealed.  
477 Section 24. Section 13.995, Florida Statutes, is repealed.  
478 Section 25. Section 13.996, Florida Statutes, is repealed.  
479 Section 26. Section 14.25, Florida Statutes, is repealed.  
480 Section 27. Subsection (3) of section 14.26, Florida  
481 Statutes, is amended to read:  
482 14.26 Citizen's Assistance Office.—  
483 (3) The Citizen's Assistance Office shall report ~~make~~  
484 ~~quarterly reports~~ to the Governor on, ~~which shall include:~~  
485 (a) The number of complaints and investigations ~~and~~  
486 ~~complaints made during the preceding quarter~~ and the disposition  
487 of such investigations.  
488 ~~(b) Recommendations in the form of suggested legislation or~~  
489 ~~suggested procedures for the alleviation of problems disclosed~~  
490 ~~by investigations.~~  
491 ~~(b)(c) A report including statistics which reflect~~ The  
492 types of complaints made and an assessment as to the cause of  
493 the complaints.

20101412er

494 (c) Recommendations for the alleviation of the cause of  
495 complaints disclosed by investigations.

496 (d) ~~Such~~ Other information as the Executive Office of the  
497 Governor shall require.

498 Section 28. Section 14.27, Florida Statutes, is repealed.

499 Section 29. Section 16.58, Florida Statutes, is repealed.

500 Section 30. Subsection (1) of section 17.32, Florida  
501 Statutes, is amended to read:

502 17.32 Annual report of trust funds; duties of Chief  
503 Financial Officer.—

504 (1) On February 1 of each year, the Chief Financial Officer  
505 shall present to the Governor and the Legislature ~~President of~~  
506 ~~the Senate and the Speaker of the House of Representatives~~ a  
507 report listing all trust funds as defined in s. 215.32. The  
508 report must ~~shall~~ contain the following data elements for each  
509 fund for the preceding fiscal year:

510 (a) The fund code.

511 (b) The title.

512 (c) The fund type according to generally accepted  
513 accounting principles.

514 (d) The statutory authority.

515 (e) The beginning cash balance.

516 (f) Direct revenues.

517 (g) Nonoperating revenues.

518 (h) Operating disbursements.

519 (i) Nonoperating disbursements.

520 (j) The ending cash balance.

521 (k) The department and budget entity in which the fund is  
522 located.

20101412er

523 Section 31. Subsection (1) of section 17.325, Florida  
524 Statutes, is amended to read:

525 17.325 Governmental efficiency hotline; duties of Chief  
526 Financial Officer.—

527 (1) The Chief Financial Officer shall establish and operate  
528 a statewide toll-free telephone hotline to receive information  
529 or suggestions from the residents ~~citizens~~ of this state on how  
530 to improve the operation of government, increase governmental  
531 efficiency, and eliminate waste in government. ~~The Chief~~  
532 ~~Financial Officer shall report each month to the appropriations~~  
533 ~~committee of the House of Representatives and of the Senate the~~  
534 ~~information or suggestions received through the hotline and the~~  
535 ~~evaluations and determinations made by the affected agency, as~~  
536 ~~provided in subsection (3), with respect to such information or~~  
537 ~~suggestions.~~

538 Section 32. Section 20.057, Florida Statutes, is amended to  
539 read:

540 20.057 Interagency agreements to delete duplication of  
541 inspections.—

542 (1) The Governor shall direct any department, the head of  
543 which is an officer or board appointed by and serving at the  
544 pleasure of the Governor, to enter into an interagency agreement  
545 to that will eliminate duplication of inspections among ~~the~~  
546 departments that inspect the same type of facility or structure.  
547 Parties to the agreement may include departments ~~which are~~  
548 headed by a Cabinet officer, the Governor and Cabinet, or a  
549 collegial body. The agreement shall:

550 (a) Authorize agents of one department to conduct  
551 inspections required to be performed by another department.

20101412er

552 (b) Specify that agents of the department conducting the  
553 inspection have all powers relative to the inspection as the  
554 agents of the department on whose behalf the inspection is being  
555 conducted.

556 (c) Require that agents of the department conducting the  
557 inspection have sufficient knowledge of statutory and  
558 administrative inspection requirements to conduct a proper  
559 inspection.

560 (d) Specify that the departments entering ~~which have~~  
561 ~~entered~~ into the agreement may not ~~neither~~ charge or ~~nor~~ accept  
562 ~~any~~ funds with respect to duties performed under the agreement  
563 which are in excess of the direct costs of conducting the ~~such~~  
564 inspections.

565 (2) Before taking effect, an agreement entered into under  
566 this section must be approved by the Governor. Inspections  
567 conducted under an agreement are ~~shall be deemed~~ sufficient for  
568 enforcement purposes pursuant to the agreement or as otherwise  
569 provided by law.

570 ~~(2) No later than 60 days prior to the beginning of the~~  
571 ~~regular session, the Governor shall make an annual report to the~~  
572 ~~President of the Senate and the Speaker of the House of~~  
573 ~~Representatives regarding interagency agreements. The report~~  
574 ~~shall identify each interagency agreement entered into under~~  
575 ~~this section, and, for each agreement, shall describe the~~  
576 ~~duplication eliminated, provide data that measures the~~  
577 ~~effectiveness of inspections conducted under the interagency~~  
578 ~~agreement, and estimate the cost savings that have resulted from~~  
579 ~~the agreement. The report shall also describe obstacles~~  
580 ~~encountered by any department in attempting to develop an~~

20101412er

581 ~~interagency agreement and in performing duties resulting from an~~  
582 ~~interagency agreement and shall recommend appropriate remedial~~  
583 ~~legislative action.~~

584       Section 33. Paragraphs (e), (f), and (g) of subsection (4)  
585 of section 20.316, Florida Statutes, are repealed.

586       Section 34. Paragraph (h) of subsection (2) of section  
587 39.4086, Florida Statutes, is amended to read:

588       39.4086 Pilot program for attorneys ad litem for dependent  
589 children.—

590       (2) RESPONSIBILITIES.—

591       (h) The Office of the State Courts Administrator shall  
592 conduct research and gather statistical information to evaluate  
593 the establishment, operation, and impact of the pilot program in  
594 meeting the legal needs of dependent children. In assessing the  
595 effects of the pilot program, including achievement of outcomes  
596 identified under paragraph (b), the evaluation must include a  
597 comparison of children within the Ninth Judicial Circuit who are  
598 appointed an attorney ad litem with those who are not. ~~The~~  
599 ~~office shall submit a report to the Legislature and the Governor~~  
600 ~~by October 1, 2001, and by October 1, 2002, regarding its~~  
601 ~~findings. The office shall submit a final report by October 1,~~  
602 ~~2003, which must include an evaluation of the pilot program;~~  
603 ~~findings on the feasibility of a statewide program; and~~  
604 ~~recommendations, if any, for locating, establishing, and~~  
605 ~~operating a statewide program.~~

606       Section 35. Subsections (1) and (3) of section 98.255,  
607 Florida Statutes, are amended to read:

608       98.255 Voter education programs.—

609       (1) ~~By March 1, 2002,~~ The Department of State shall adopt

20101412er

610 rules prescribing minimum standards for nonpartisan voter  
611 education. ~~In developing the rules, the department shall review~~  
612 ~~current voter education programs within each county of the~~  
613 ~~state. The standards shall, at a minimum, address, but are not~~  
614 ~~limited to, the following subjects:~~

- 615 (a) Voter registration;  
616 (b) Balloting procedures, absentee and polling place;  
617 (c) Voter rights and responsibilities;  
618 (d) Distribution of sample ballots; and  
619 (e) Public service announcements.

620 (3) ~~(a)~~ By December 15 of each general election year, each  
621 supervisor of elections shall report to the Department of State  
622 a detailed description of the voter education programs  
623 implemented and any other information that may be useful in  
624 evaluating the effectiveness of voter education efforts.

625 ~~(b) The Department of State, upon receipt of such~~  
626 ~~information, shall prepare a public report on the effectiveness~~  
627 ~~of voter education programs and shall submit the report to the~~  
628 ~~Governor, the President of the Senate, and the Speaker of the~~  
629 ~~House of Representatives by January 31 of each year following a~~  
630 ~~general election.~~

631 ~~(c)~~ The department ~~of State~~ shall reexamine the rules  
632 adopted pursuant to subsection (1) and use ~~consider~~ the findings  
633 in these reports ~~the report~~ as a basis for modifying the  
634 ~~adopting modified~~ rules to ~~that~~ incorporate successful voter  
635 education programs and techniques, as necessary.

636 Section 36. Paragraph (a) of subsection (7) of section  
637 110.1227, Florida Statutes, is amended to read:

638 110.1227 Florida Employee Long-Term-Care Plan Act.—

20101412er

639 (7) The board of directors of the Florida Long-Term-Care  
640 Plan shall:

641 (a) Upon implementation, prepare an annual report of the  
642 plan, with the assistance of an actuarial consultant, to be  
643 submitted to the ~~Speaker of the House of Representatives, the~~  
644 ~~President of the Senate, the Governor,~~ and the Legislature the  
645 ~~Minority Leaders of the Senate and the House of Representatives.~~

646 Section 37. Subsection (9) of section 120.542, Florida  
647 Statutes, is amended to read:

648 120.542 Variances and waivers.—

649 (9) Each agency shall maintain a record of the type and  
650 disposition of each petition, including temporary or emergency  
651 variances and waivers, filed pursuant to this section. ~~On~~  
652 ~~October 1 of each year, each agency shall file a report with the~~  
653 ~~Governor, the President of the Senate, and the Speaker of the~~  
654 ~~House of Representatives listing the number of petitions filed~~  
655 ~~requesting variances to each agency rule, the number of~~  
656 ~~petitions filed requesting waivers to each agency rule, and the~~  
657 ~~disposition of all petitions. Temporary or emergency variances~~  
658 ~~and waivers, and the reasons for granting or denying temporary~~  
659 ~~or emergency variances and waivers, shall be identified~~  
660 ~~separately from other waivers and variances.~~

661 Section 38. Section 153.952, Florida Statutes, is repealed.

662 Section 39. Subsections (3) through (22) of section  
663 161.053, Florida Statutes, are amended to read:

664 161.053 Coastal construction and excavation; regulation on  
665 county basis.—

666 (3) ~~It is the intent of the Legislature that any coastal~~  
667 ~~construction control line that has not been updated since June~~

20101412er

668 ~~30, 1980, shall be considered a critical priority for~~  
669 ~~reestablishment by the department. In keeping with this intent,~~  
670 ~~the department shall notify the Legislature if all such lines~~  
671 ~~cannot be reestablished by December 31, 1997, so that the~~  
672 ~~Legislature may subsequently consider interim lines of~~  
673 ~~jurisdiction for the remaining counties.~~

674 (3)~~(4)~~ A Any coastal county or coastal municipality may  
675 establish coastal construction zoning and building codes in lieu  
676 of the provisions of this section if, ~~provided~~ such zones and  
677 codes are approved by the department as being adequate to  
678 preserve and protect the beaches and coastal barrier dunes  
679 adjacent to such beaches, which are under the jurisdiction of  
680 the department, from imprudent construction that will jeopardize  
681 the stability of the beach-dune system, accelerate erosion,  
682 provide inadequate protection to upland structures, endanger  
683 adjacent properties, or interfere with public beach access.  
684 Exceptions to locally established coastal construction zoning  
685 and building codes may ~~shall~~ not be granted unless previously  
686 approved by the department. ~~It is~~ The intent of this subsection  
687 is to provide for the local administration of established  
688 coastal construction control lines through approved zoning and  
689 building codes if ~~where~~ desired by local interests and where  
690 such local interests have, in the judgment of the department,  
691 sufficient funds and personnel to adequately administer the  
692 program. Should the department determine at any time that the  
693 program is inadequately administered, the department may ~~shall~~  
694 ~~have authority to~~ revoke the authority granted to the county or  
695 municipality.

696 (4)~~(5)~~ Except in those areas where local zoning and

20101412er

697 building codes have been established pursuant to subsection (3)  
698 ~~(4)~~, a permit to alter, excavate, or construct on property  
699 seaward of established coastal construction control lines may be  
700 granted by the department as follows:

701 (a) The department may authorize an excavation or erection  
702 of a structure at any coastal location as described in  
703 subsection (1) upon receipt of an application from a property or  
704 ~~and/or~~ riparian owner and upon the consideration of facts and  
705 circumstances, including:

706 1. Adequate engineering data concerning shoreline stability  
707 and storm tides related to shoreline topography;

708 2. Design features of the proposed structures or  
709 activities; and

710 3. Potential effects ~~impacts~~ of the location of the ~~such~~  
711 structures or activities, including potential cumulative effects  
712 of ~~any~~ proposed structures or activities upon the ~~such~~ beach-  
713 dune system, which, in the opinion of the department, clearly  
714 justify ~~such~~ a permit.

715 (b) If in the immediate contiguous or adjacent area a  
716 number of existing structures have established a reasonably  
717 continuous and uniform construction line closer to the line of  
718 mean high water than the foregoing, and if the existing  
719 structures have not been unduly affected by erosion, a proposed  
720 structure may, ~~at the discretion of the department,~~ be permitted  
721 along such line on written authorization from the department if  
722 the ~~such~~ structure is also approved by the department. However,  
723 the department may ~~shall~~ not contravene setback requirements or  
724 zoning or building codes established by a county or municipality  
725 which are equal to, or more strict than, the ~~these~~ requirements

20101412er

726 provided in this subsection ~~herein~~. This paragraph does not  
727 prohibit the department from requiring structures to meet design  
728 and siting criteria established in paragraph (a) or in  
729 subsection (1) or subsection (2).

730 (c) The department may condition the nature, timing, and  
731 sequence of construction of permitted activities to provide  
732 protection to nesting sea turtles and hatchlings and their  
733 habitat, pursuant to s. 379.2431, and to native salt-resistant  
734 vegetation and endangered plant communities.

735 (d) The department may require ~~such~~ engineer certifications  
736 as necessary to ensure ~~assure~~ the adequacy of the design and  
737 construction of permitted projects.

738 (e) The department shall limit the construction of  
739 structures that ~~which~~ interfere with public access along the  
740 beach. However, the department may require, as a condition of ~~to~~  
741 granting permits, the provision of alternative access if ~~when~~  
742 interference with public access along the beach is unavoidable.  
743 The width of the ~~such~~ alternate access may not be required to  
744 exceed the width of the access that will be obstructed ~~as a~~  
745 ~~result of the permit being granted~~.

746 (f) The department may, as a condition of ~~to~~ the granting  
747 ~~of a permit under this section~~, require mitigation, financial,  
748 or other assurances acceptable to the department ~~as may be~~  
749 ~~necessary~~ to ensure ~~assure~~ performance of conditions of a permit  
750 or enter into contractual agreements to best assure compliance  
751 with any permit conditions. The department may also require  
752 notice of the permit conditions required and the contractual  
753 agreements entered into ~~pursuant to the provisions of this~~  
754 ~~subsection~~ to be filed in the public records of the county in

20101412er

755 which the permitted activity is located.

756 (5)~~(6)~~ (a) As used in this subsection, the term:

757 1. "Frontal dune" means the first natural or manmade mound  
758 or bluff of sand which is located landward of the beach and  
759 which has sufficient vegetation, height, continuity, and  
760 configuration to offer protective value.

761 2. "Seasonal high-water line" means the line formed by the  
762 intersection of the rising shore and the elevation of 150  
763 percent of the local mean tidal range above local mean high  
764 water.

765 (b) After October 1, 1985, and notwithstanding any other  
766 provision of this part, the department, or a local government to  
767 which the department has delegated permitting authority pursuant  
768 to subsections (3) ~~(4)~~ and (15) ~~(16)~~, may ~~shall~~ not issue a ~~any~~  
769 permit for any structure, other than a coastal or shore  
770 protection structure, minor structure, or pier, meeting the  
771 requirements of this part, or other than intake and discharge  
772 structures for a facility sited pursuant to part II of chapter  
773 403, which is proposed for a location that ~~which~~, based on the  
774 department's projections of erosion in the area, will be seaward  
775 of the seasonal high-water line within 30 years after the date  
776 of application for the ~~such~~ permit. The procedures for  
777 determining such erosion shall be established by rule. In  
778 determining the area that ~~which~~ will be seaward of the seasonal  
779 high-water line in 30 years, the department may ~~shall~~ not  
780 include any areas landward of a coastal construction control  
781 line.

782 (c) If ~~Where~~ the application of paragraph (b) would  
783 preclude the construction of a structure, the department may

20101412er

784 issue a permit for a single-family dwelling for the parcel if ~~so~~  
785 ~~long as~~:

786 1. The parcel ~~for which the single-family dwelling is~~  
787 ~~proposed~~ was platted or subdivided by metes and bounds before  
788 the effective date of this section;

789 2. The owner of the parcel ~~for which the single-family~~  
790 ~~dwelling is proposed~~ does not own another parcel immediately  
791 adjacent to and landward of the parcel for which the dwelling is  
792 proposed;

793 3. The proposed single-family dwelling is located landward  
794 of the frontal dune structure; and

795 4. The proposed single-family dwelling will be as far  
796 landward on its parcel as is practicable without being located  
797 seaward of or on the frontal dune.

798 (d) In determining the land areas that ~~which~~ will be below  
799 the seasonal high-water line within 30 years after the permit  
800 application date, the department shall consider the effect  
801 ~~impact~~ on the erosion rates of an existing beach nourishment or  
802 restoration project or of a beach nourishment or restoration  
803 project for which all funding arrangements have been made and  
804 all permits have been issued at the time the application is  
805 submitted. The department shall consider each year there is sand  
806 seaward of the erosion control line whether ~~that no~~ erosion took  
807 place that year. However, the seaward extent of the beach  
808 nourishment or restoration project beyond the erosion control  
809 line may ~~shall~~ not be considered in determining the applicable  
810 erosion rates. ~~Nothing in~~ This subsection does not ~~shall~~  
811 prohibit the department from requiring structures to meet the  
812 criteria established in subsection (1), subsection (2), or

20101412er

813 subsection (4) ~~(5)~~ or to be further landward than required by  
814 this subsection based on the criteria established in subsection  
815 (1), subsection (2), or subsection (4) ~~(5)~~.

816 (e) The department shall annually report to the Legislature  
817 the status of this program, including any changes to the  
818 previously adopted procedures for determining erosion  
819 projections.

820 (6) ~~(7)~~ Any coastal structure erected, or excavation  
821 created, in violation of ~~the provisions of~~ this section is  
822 ~~hereby~~ declared to be a public nuisance, and such structure  
823 shall be ~~forthwith~~ removed or such excavation shall be ~~forthwith~~  
824 refilled after written notice by the department directing such  
825 removal or filling. ~~If in the event~~ the structure is not removed  
826 or the excavation refilled within a reasonable time as directed,  
827 the department may remove such structure or fill such excavation  
828 at its own expense, and the costs thereof shall become a lien on  
829 ~~upon~~ the property of the upland owner upon which the ~~such~~  
830 unauthorized structure or excavation is located.

831 (7) ~~(8)~~ Any person, firm, corporation, or agent thereof who  
832 violates this section commits ~~is guilty of~~ a misdemeanor of the  
833 first degree, punishable as provided in s. 775.082 or s.  
834 775.083, ~~+~~ except that a person driving a ~~any~~ vehicle on, over,  
835 or across a ~~any~~ sand dune and damaging or causing to be damaged  
836 such sand dune or the vegetation growing thereon in violation of  
837 this section commits ~~is guilty of~~ a misdemeanor of the second  
838 degree, punishable as provided in s. 775.082 or s. 775.083. A  
839 person, firm, corporation, or agent thereof commits ~~shall be~~  
840 ~~deemed guilty of~~ a separate offense for each day during any  
841 portion of which a ~~any~~ violation of this section is committed or

20101412er

842 continued.

843 ~~(8)-(9)~~ The provisions of This section does ~~do~~ not apply to  
844 structures intended for shore protection purposes which are  
845 regulated by s. 161.041 or to structures existing or under  
846 construction before ~~prior to~~ the establishment of the coastal  
847 construction control line if the ~~as provided herein, provided~~  
848 ~~such~~ structures are ~~may not be~~ materially altered except as  
849 provided in subsection (4) ~~(5)~~. Except for structures that have  
850 been materially altered, structures ~~determined to be~~ under  
851 construction at the time of the establishment or reestablishment  
852 of the coastal construction control line are ~~shall be~~ exempt  
853 from the provisions of this section. However, unless such an  
854 exemption has been judicially confirmed to exist before ~~prior to~~  
855 April 10, 1992, the exemption shall last only for a period of 3  
856 years from ~~either~~ the date of the determination of the exemption  
857 or April 10, 1992, whichever occurs later. The department may  
858 extend the exemption period for structures that require longer  
859 periods for completion if ~~of their construction, provided that~~  
860 construction during the initial exemption period is ~~has been~~  
861 continuous. For purposes of this subsection, the term  
862 "continuous" means following a reasonable sequence of  
863 construction without significant or unreasonable periods of work  
864 stoppage.

865 ~~(9)-(10)~~ The department may ~~by regulation~~ exempt  
866 specifically described portions of the coastline from the  
867 provisions of this section if, when in its judgment, such  
868 portions of coastline because of their nature are not subject to  
869 erosion of a substantially damaging effect to the public.

870 ~~(10)-(11)~~ Pending the establishment of coastal construction

20101412er

871 control lines as provided herein, the provisions of s. 161.052  
872 shall remain in force. However, upon the establishment of  
873 coastal construction control lines, or the establishment of  
874 coastal construction zoning and building codes as provided in  
875 subsection (3) ~~(4)~~, ~~the provisions of~~ s. 161.052 shall be  
876 superseded by the provisions of this section.

877 ~~(11)~~~~(12)~~ (a) The coastal construction control requirements  
878 defined in subsection (1) and the requirements of the erosion  
879 projections in ~~pursuant to~~ subsection (5) ~~(6)~~ do not apply to  
880 any modification, maintenance, or repair of ~~to~~ any existing  
881 structure within the limits of the existing foundation which  
882 does not require, involve, or include any additions to, or  
883 repair or modification of, the existing foundation of that  
884 structure. Specifically excluded from this exemption are  
885 seawalls or other rigid coastal or shore protection structures  
886 and any additions or enclosures added, constructed, or installed  
887 below the first dwelling floor or lowest deck of the existing  
888 structure.

889 (b) Activities seaward of the coastal construction control  
890 line which are determined by the department not to cause a  
891 measurable interference with the natural functioning of the  
892 coastal system are exempt from the requirements of ~~in~~ subsection  
893 (4) ~~(5)~~.

894 (c) The department may establish exemptions from the  
895 requirements of this section for minor activities determined by  
896 the department not to have an adverse effect ~~impacts~~ on the  
897 coastal system. Examples of such activities include, but are not  
898 limited to:

899 1. Boat moorings;

20101412er

- 900           2. Maintenance of existing beach-dune ~~beach/dune~~  
901 vegetation;
- 902           3. The burial of seaweed, dead fish, whales, or other  
903 marine animals on the unvegetated beach;
- 904           4. The removal of piers or other derelict structures from  
905 the unvegetated beach or seaward of mean high water;
- 906           5. Temporary emergency vehicular access, if the affected  
907 ~~provided any impacted~~ area is immediately restored;
- 908           6. The removal of any existing structures or debris from  
909 the upland, if provided there is no excavation or disturbance to  
910 the existing topography or to beach-dune ~~beach/dune~~ vegetation;
- 911           7. Construction of a ~~any~~ new roof overhang extending no  
912 more than 4 feet beyond the confines of the existing foundation  
913 during modification, renovation, or reconstruction of a  
914 habitable structure within the confines of the existing  
915 foundation of that structure which does not include any  
916 additions to or modification of the existing foundation of that  
917 structure;
- 918           8. Minor and temporary excavation for the purpose of  
919 repairs to existing subgrade residential service utilities  
920 (e.g., water and sewer lines, septic tanks and drainfields,  
921 electrical and telephone cables, and gas lines), if provided  
922 ~~that~~ there is minimal disturbance and the ~~that~~ grade is restored  
923 with fill compatible in both coloration and grain size to the  
924 onsite material and any damaged or destroyed vegetation is  
925 restored using similar vegetation; and
- 926           9. Any other minor construction that has an effect ~~with~~  
927 ~~impacts~~ similar to the above activities.
- 928           (12) ~~(13)~~ (a) Notwithstanding the coastal construction

20101412er

929 control requirements defined in subsection (1) or the erosion  
930 projection determined pursuant to subsection (5) ~~(6)~~, the  
931 department may, ~~at its discretion~~, issue a permit for the repair  
932 or rebuilding within the confines of the original foundation of  
933 a major structure pursuant to ~~the provisions of~~ subsection (4)  
934 ~~(5)~~. Alternatively, the department may also, ~~at its discretion~~,  
935 issue a permit for a more landward relocation or rebuilding of a  
936 damaged or existing structure if such relocation or rebuilding  
937 would not cause further harm to the beach-dune system, and if,  
938 in the case of rebuilding, the ~~such~~ rebuilding complies with ~~the~~  
939 ~~provisions of~~ subsection (4) ~~(5)~~, and otherwise complies with  
940 ~~the provisions of~~ this subsection.

941 ~~Under no circumstances shall~~ The department may not  
942 permit ~~such~~ repairs or rebuilding that expands ~~expand~~ the  
943 capacity of the original structure seaward of the 30-year  
944 erosion projection established pursuant to subsection (5) ~~(6)~~.

945 (c) In reviewing applications for relocation or rebuilding,  
946 the department shall specifically consider changes in shoreline  
947 conditions, the availability of other relocation or rebuilding  
948 options, and the design adequacy of the project sought to be  
949 rebuilt.

950 (d) Permits issued under this subsection are ~~shall not be~~  
951 considered precedential as to the issuance of subsequent  
952 permits.

953 ~~(13)-(14)~~ Concurrent with the establishment of a coastal  
954 construction control line and the ongoing administration of this  
955 chapter, the secretary of the department shall make  
956 recommendations to the Board of Trustees of the Internal  
957 Improvement Trust Fund concerning the purchase of the fee or any

20101412er

958 lesser interest in any lands seaward of the control line  
959 pursuant to the state's Save Our Coast, Conservation and  
960 Recreation Lands, or Outdoor Recreation Land acquisition  
961 programs; and, with respect to those control lines established  
962 pursuant to this section before ~~prior to~~ June 14, 1978, the  
963 secretary may make such recommendations.

964 (14) ~~(15)~~ A coastal county or municipality fronting on the  
965 Gulf of Mexico, the Atlantic Ocean, or the Straits of Florida  
966 shall advise the department within 5 days after receipt of any  
967 permit application for construction or other activities proposed  
968 to be located seaward of the line established by the department  
969 pursuant to ~~the provisions of~~ this section. Within 5 days after  
970 receipt of such application, the county or municipality shall  
971 notify the applicant of the requirements for state permits.

972 (15) ~~(16)~~ In keeping with the intent of subsection (3) ~~(4)~~,  
973 ~~and at the discretion of the department,~~ authority for  
974 permitting certain types of activities that ~~which~~ have been  
975 defined by the department may be delegated by the department to  
976 a coastal county or coastal municipality. Such partial  
977 delegation shall be narrowly construed to those particular  
978 activities specifically named in the delegation and agreed to by  
979 the affected county or municipality. ~~and~~ The delegation may be  
980 revoked by the department at any time if it is determined that  
981 the delegation is improperly or inadequately administered.

982 (16) ~~(17)~~ The department may, at the request of a property  
983 owner, contract with the ~~such~~ property owner for an agreement,  
984 or modify an existing contractual agreement regulating  
985 development activities landward of a coastal construction  
986 control line, if ~~provided that nothing within~~ the contractual

20101412er

987 agreement is consistent ~~shall be inconsistent~~ with the design  
988 and siting provisions of this section. ~~In no case shall~~ The  
989 contractual agreement may not bind either party for a period  
990 longer than 5 years following ~~from~~ its date of execution. Before  
991 ~~Prior to~~ beginning a any construction activity covered by the  
992 agreement, the property owner must ~~shall~~ obtain the necessary  
993 authorization required by the agreement. The agreement may ~~shall~~  
994 not authorize construction for:

995 (a) Major habitable structures that ~~which would~~ require  
996 construction beyond the expiration of the agreement, unless such  
997 construction is above the completed foundation; or

998 (b) Nonhabitable major structures or minor structures,  
999 unless such construction is ~~was~~ authorized at the same time as  
1000 the habitable major structure.

1001 ~~(17)-(18)~~ The department may ~~is authorized to~~ grant areawide  
1002 permits to local governments, other governmental agencies, and  
1003 utility companies for special classes of activities in areas  
1004 under their general jurisdiction or responsibility if, ~~so long~~  
1005 ~~as~~ these activities, due to the type, size, or temporary nature  
1006 of the activity, will not cause measurable interference with the  
1007 natural functioning of the beach-dune ~~beach-dune~~ system or with  
1008 marine turtles or their nesting sites. Such activities ~~shall~~  
1009 include, but are not ~~be~~ limited to: road repairs, not including  
1010 new construction; utility repairs and replacements, or other  
1011 minor activities necessary to provide utility services; beach  
1012 cleaning; and emergency response. The department may adopt rules  
1013 to establish criteria and guidelines for ~~use by~~ permit  
1014 applicants. The department must ~~shall~~ require notice provisions  
1015 appropriate to the type and nature of the activities for which

20101412er

1016 the areawide permits are sought.

1017 ~~(18)(19)~~ The department may ~~is authorized to~~ grant general  
1018 permits for projects, including dune walkovers, decks, fences,  
1019 landscaping, sidewalks, driveways, pool resurfacing, minor pool  
1020 repairs, and other nonhabitable structures, if the ~~so long as~~  
1021 ~~these~~ projects, due to ~~the~~ type, size, or temporary nature ~~of~~  
1022 ~~the project~~, will not cause a measurable interference with the  
1023 natural functioning of the beach-dune ~~beach-dune~~ system or with  
1024 marine turtles or their nesting sites. ~~In no event shall~~  
1025 Multifamily habitable structures do not qualify for general  
1026 permits. However, single-family habitable structures that ~~which~~  
1027 do not advance the line of existing construction and satisfy all  
1028 siting and design requirements of this section may be eligible  
1029 for a general permit ~~pursuant to this subsection~~. The department  
1030 may adopt rules to establish criteria and guidelines for ~~use by~~  
1031 permit applicants.

1032 (a) Persons wishing to use the general permits must ~~set~~  
1033 ~~forth in this subsection shall~~, at least 30 days before  
1034 beginning any work, notify the department in writing on forms  
1035 adopted by the department. The notice must ~~shall~~ include a  
1036 description of the proposed project and supporting documents  
1037 depicting the proposed project, its location, and other  
1038 pertinent information as required by rule, to demonstrate that  
1039 the proposed project qualifies for the requested general permit.  
1040 Persons who undertake projects without proof of notice to the  
1041 department, but whose projects would otherwise qualify for  
1042 general permits, shall be considered to have ~~as being~~ undertaken  
1043 a project without a permit and are ~~shall be~~ subject to  
1044 enforcement pursuant to s. 161.121.

20101412er

1045 (b) Persons wishing to use a general permit must provide  
1046 notice as required by the applicable local building code where  
1047 the project will be located. If a building code requires no  
1048 notice, any person wishing to use a general permit must, at a  
1049 minimum, post a sign describing the project on the property at  
1050 least 5 days before commencing ~~prior to the commencement of~~  
1051 construction. The a sign must be at least ~~no smaller than~~ 88  
1052 square inches, with letters no smaller than one-quarter inch,  
1053 ~~describing the project.~~

1054 ~~(19)-(20)~~(a) The department may suspend or revoke the use of  
1055 a general or areawide permit for good cause, including:  
1056 submission of false or inaccurate information in the  
1057 notification for use of a general or areawide permit; violation  
1058 of law, department orders, or rules relating to permit  
1059 conditions; deviation from the specified activity or project  
1060 indicated or the conditions for undertaking the activity or  
1061 project; refusal of lawful inspection; or any other act by ~~on~~  
1062 the permittee ~~permittee's part in using the general or areawide~~  
1063 ~~permit~~ which results or may result in harm or injury to human  
1064 health or welfare, or which causes harm or injury to animal,  
1065 plant, or aquatic life or to property.

1066 (b) The department shall have access to the permitted  
1067 activity or project at reasonable times to inspect and determine  
1068 compliance with the permit and department rules.

1069 ~~(20)-(21)~~ The department may ~~is authorized to~~ adopt rules  
1070 related to the ~~following provisions of this section:~~  
1071 establishment of coastal construction control lines; activities  
1072 seaward of the coastal construction control line; exemptions;  
1073 property owner agreements; delegation of the program; permitting

20101412er

1074 programs; and violations and penalties.

1075 ~~(21)(22)~~ In accordance with ss. 553.73 and 553.79, and upon  
1076 the effective date of the Florida Building Code, the provisions  
1077 of this section which pertain to and govern the design,  
1078 construction, erection, alteration, modification, repair, and  
1079 demolition of public and private buildings, structures, and  
1080 facilities shall be incorporated into the Florida Building Code.  
1081 The Florida Building Commission may ~~shall have the authority to~~  
1082 adopt rules pursuant to ss. 120.536 and 120.54 ~~in order to~~  
1083 administer ~~implement~~ those provisions. This subsection does not  
1084 limit or abrogate the right and authority of the department to  
1085 require permits or to adopt and enforce environmental standards,  
1086 including, but not limited to, standards for ensuring the  
1087 protection of the beach-dune system, proposed or existing  
1088 structures, adjacent properties, marine turtles, native salt-  
1089 resistant vegetation, endangered plant communities, and the  
1090 preservation of public beach access.

1091 Section 40. Subsection (2) of section 161.161, Florida  
1092 Statutes, is amended to read:

1093 161.161 Procedure for approval of projects.—

1094 (2) Annually ~~Upon approval of the beach management plan,~~  
1095 the secretary shall present to the Legislature ~~President of the~~  
1096 ~~Senate, the Speaker of the House of Representatives, and the~~  
1097 ~~chairs of the legislative appropriations committees~~  
1098 recommendations for funding ~~of~~ beach erosion control projects  
1099 prioritized according to the. ~~Such recommendations shall be~~  
1100 ~~presented to such members of the Legislature in the priority~~  
1101 ~~order specified in the plan and established pursuant to criteria~~  
1102 established ~~contained~~ in s. 161.101(14).

20101412er

1103           Section 41. Section 163.2526, Florida Statutes, is  
1104 repealed.

1105           Section 42. Subsection (2) of section 163.3167, Florida  
1106 Statutes, is amended to read:

1107           163.3167 Scope of act.—

1108           (2) Each local government shall prepare a comprehensive  
1109 plan of the type and in the manner set out in this part ~~act~~ or  
1110 ~~shall~~ prepare amendments to its existing comprehensive plan to  
1111 conform it to the requirements of this part and in the manner  
1112 set out in this part. ~~Each local government,~~ In accordance with  
1113 ~~the procedures in s. 163.3184,~~ each local government shall  
1114 submit to the state land planning agency its complete proposed  
1115 comprehensive plan or its complete comprehensive plan as  
1116 proposed to be amended ~~to the state land planning agency by the~~  
1117 ~~date specified in the rule adopted by the state land planning~~  
1118 ~~agency pursuant to this subsection. The state land planning~~  
1119 ~~agency shall, prior to October 1, 1987, adopt a schedule of~~  
1120 ~~local governments required to submit complete proposed~~  
1121 ~~comprehensive plans or comprehensive plans as proposed to be~~  
1122 ~~amended. Such schedule shall specify the exact date of~~  
1123 ~~submission for each local government, shall establish equal,~~  
1124 ~~staggered submission dates, and shall be consistent with the~~  
1125 ~~following time periods:~~

1126           ~~(a) Beginning on July 1, 1988, and on or before July 1,~~  
1127 ~~1990, each county that is required to include a coastal~~  
1128 ~~management element in its comprehensive plan and each~~  
1129 ~~municipality in such a county; and~~

1130           ~~(b) Beginning on July 1, 1989, and on or before July 1,~~  
1131 ~~1991, all other counties or municipalities.~~

20101412er

1132  
1133 ~~Nothing herein shall preclude the state land planning agency~~  
1134 ~~from permitting by rule a county together with each municipality~~  
1135 ~~in the county from submitting a proposed comprehensive plan~~  
1136 ~~earlier than the dates established in paragraphs (a) and (b).~~  
1137 ~~Any county or municipality that fails to meet the schedule set~~  
1138 ~~for submission of its proposed comprehensive plan by more than~~  
1139 ~~90 days shall be subject to the sanctions described in s.~~  
1140 ~~163.3184(11)(a) imposed by the Administration Commission.~~  
1141 ~~Notwithstanding the time periods established in this subsection,~~  
1142 ~~the state land planning agency may establish later deadlines for~~  
1143 ~~the submission of proposed comprehensive plans or comprehensive~~  
1144 ~~plans as proposed to be amended for a county or municipality~~  
1145 ~~which has all or a part of a designated area of critical state~~  
1146 ~~concern within its boundaries; however, such deadlines shall not~~  
1147 ~~be extended to a date later than July 1, 1991, or the time of~~  
1148 ~~de-designation, whichever is earlier.~~

1149       Section 43. Paragraph (h) of subsection (6) and paragraph  
1150 (k) of subsection (10) of section 163.3177, Florida Statutes,  
1151 are amended to read:

1152       163.3177 Required and optional elements of comprehensive  
1153 plan; studies and surveys.—

1154       (6) In addition to the requirements of subsections (1)-(5)  
1155 and (12), the comprehensive plan shall include the following  
1156 elements:

1157       (h)1. An intergovernmental coordination element showing  
1158 relationships and stating principles and guidelines to be used  
1159 in coordinating ~~the accomplishment of coordination of the~~  
1160 adopted comprehensive plan with the plans of school boards,

20101412er

1161 regional water supply authorities, and other units of local  
1162 government providing services but not having regulatory  
1163 authority over the use of land, with the comprehensive plans of  
1164 adjacent municipalities, the county, adjacent counties, or the  
1165 region, with the state comprehensive plan and with the  
1166 applicable regional water supply plan approved pursuant to s.  
1167 373.0361, as the case may require and as such adopted plans or  
1168 plans in preparation may exist. This element of the local  
1169 comprehensive plan must ~~shall~~ demonstrate consideration of the  
1170 particular effects of the local plan, when adopted, upon the  
1171 development of adjacent municipalities, the county, adjacent  
1172 counties, or the region, or upon the state comprehensive plan,  
1173 as the case may require.

1174 a. The intergovernmental coordination element must ~~shall~~  
1175 provide procedures for identifying and implementing ~~to identify~~  
1176 ~~and implement~~ joint planning areas, especially for the purpose  
1177 of annexation, municipal incorporation, and joint infrastructure  
1178 service areas.

1179 b. The intergovernmental coordination element must ~~shall~~  
1180 provide for recognition of campus master plans prepared pursuant  
1181 to s. 1013.30 and airport master plans under paragraph (k).

1182 c. The intergovernmental coordination element shall provide  
1183 for a dispute resolution process, as established pursuant to s.  
1184 186.509, ~~for bringing to closure in a timely manner~~  
1185 intergovernmental disputes to closure in a timely manner.

1186 d. The intergovernmental coordination element shall provide  
1187 for interlocal agreements as established pursuant to s.  
1188 333.03(1) (b).

1189 2. The intergovernmental coordination element shall also

20101412er

1190 ~~further~~ state principles and guidelines to be used in  
1191 ~~coordinating the accomplishment of coordination of~~ the adopted  
1192 comprehensive plan with the plans of school boards and other  
1193 units of local government providing facilities and services but  
1194 not having regulatory authority over the use of land. In  
1195 addition, the intergovernmental coordination element must ~~shall~~  
1196 describe joint processes for collaborative planning and  
1197 decisionmaking on population projections and public school  
1198 siting, the location and extension of public facilities subject  
1199 to concurrency, and siting facilities with countywide  
1200 significance, including locally unwanted land uses whose nature  
1201 and identity are established in an agreement. Within 1 year  
1202 after ~~of~~ adopting their intergovernmental coordination elements,  
1203 each county, all the municipalities within that county, the  
1204 district school board, and any unit of local government service  
1205 providers in that county shall establish by interlocal or other  
1206 formal agreement executed by all affected entities, the joint  
1207 processes described in this subparagraph consistent with their  
1208 adopted intergovernmental coordination elements.

1209 3. To foster coordination between special districts and  
1210 local general-purpose governments as local general-purpose  
1211 governments implement local comprehensive plans, each  
1212 independent special district must submit a public facilities  
1213 report to the appropriate local government as required by s.  
1214 189.415.

1215 4.~~a~~. Local governments shall execute an interlocal  
1216 agreement with the district school board, the county, and  
1217 nonexempt municipalities pursuant to s. 163.31777. The local  
1218 government shall amend the intergovernmental coordination

20101412er

1219 element to ensure ~~provide~~ that coordination between the local  
1220 government and school board is pursuant to the agreement and  
1221 shall state the obligations of the local government under the  
1222 agreement.

1223 ~~b.~~ Plan amendments that comply with this subparagraph are  
1224 exempt from the provisions of s. 163.3187(1).

1225 ~~5. The state land planning agency shall establish a~~  
1226 ~~schedule for phased completion and transmittal of plan~~  
1227 ~~amendments to implement subparagraphs 1., 2., and 3. from all~~  
1228 ~~jurisdictions so as to accomplish their adoption by December 31,~~  
1229 ~~1999. A local government may complete and transmit its plan~~  
1230 ~~amendments to carry out these provisions prior to the scheduled~~  
1231 ~~date established by the state land planning agency. The plan~~  
1232 ~~amendments are exempt from the provisions of s. 163.3187(1).~~

1233 ~~5.6.~~ By January 1, 2004, any county having a population  
1234 greater than 100,000, and the municipalities and special  
1235 districts within that county, shall submit a report to the  
1236 Department of Community Affairs which identifies:

1237 a. ~~Identifies~~ All existing or proposed interlocal service  
1238 delivery agreements relating to ~~regarding the following~~:  
1239 education; sanitary sewer; public safety; solid waste; drainage;  
1240 potable water; parks and recreation; and transportation  
1241 facilities.

1242 b. ~~Identifies~~ Any deficits or duplication in the provision  
1243 of services within its jurisdiction, whether capital or  
1244 operational. Upon request, the Department of Community Affairs  
1245 shall provide technical assistance to the local governments in  
1246 identifying deficits or duplication.

1247 ~~6.7.~~ Within 6 months after submission of the report, the

20101412er

1248 Department of Community Affairs shall, through the appropriate  
1249 regional planning council, coordinate a meeting of all local  
1250 governments within the regional planning area to discuss the  
1251 reports and potential strategies to remedy any identified  
1252 deficiencies or duplications.

1253 ~~7.8.~~ Each local government shall update its  
1254 intergovernmental coordination element based upon the findings  
1255 in the report submitted pursuant to subparagraph 5. ~~6.~~ The  
1256 report may be used as supporting data and analysis for the  
1257 intergovernmental coordination element.

1258 (10) The Legislature recognizes the importance and  
1259 significance of chapter 9J-5, Florida Administrative Code, the  
1260 Minimum Criteria for Review of Local Government Comprehensive  
1261 Plans and Determination of Compliance of the Department of  
1262 Community Affairs that will be used to determine compliance of  
1263 local comprehensive plans. The Legislature reserved unto itself  
1264 the right to review chapter 9J-5, Florida Administrative Code,  
1265 and to reject, modify, or take no action relative to this rule.  
1266 Therefore, pursuant to subsection (9), the Legislature hereby  
1267 has reviewed chapter 9J-5, Florida Administrative Code, and  
1268 expresses the following legislative intent:

1269 (k) In order for ~~So that~~ local governments ~~are able~~ to  
1270 prepare and adopt comprehensive plans with knowledge of the  
1271 rules that are ~~will be~~ applied to determine consistency of the  
1272 plans with ~~provisions of~~ this part, ~~it is the intent of the~~  
1273 ~~Legislature that~~ there should be no doubt as to the legal  
1274 standing of chapter 9J-5, Florida Administrative Code, at the  
1275 close of the 1986 legislative session. Therefore, the  
1276 Legislature declares that changes made to chapter 9J-5 before,

20101412er

1277 ~~Florida Administrative Code, prior to October 1, 1986, are shall~~  
1278 ~~not be~~ subject to rule challenges under s. 120.56(2), or to  
1279 drawout proceedings under s. 120.54(3)(c)2. The entire chapter  
1280 9J-5, Florida Administrative Code, as amended, is ~~shall be~~  
1281 subject to rule challenges under s. 120.56(3), as nothing herein  
1282 indicates ~~shall be construed to indicate~~ approval or disapproval  
1283 of any portion of chapter 9J-5, ~~Florida Administrative Code,~~ not  
1284 specifically addressed herein. ~~No challenge pursuant to s.~~  
1285 ~~120.56(3) may be filed from July 1, 1987, through April 1, 1993.~~  
1286 Any amendments to chapter 9J-5, Florida Administrative Code,  
1287 exclusive of the amendments adopted prior to October 1, 1986,  
1288 pursuant to this act, shall be subject to the full chapter 120  
1289 process. All amendments shall have effective dates as provided  
1290 in chapter 120 and submission to the President of the Senate and  
1291 Speaker of the House of Representatives shall not be required.

1292 Section 44. Subsection (6) of section 163.3178, Florida  
1293 Statutes, is amended to read:

1294 163.3178 Coastal management.—

1295 (6) Local governments are encouraged to adopt countywide  
1296 marina siting plans to designate sites for existing and future  
1297 marinas. The Coastal Resources Interagency Management Committee,  
1298 at the direction of the Legislature, shall identify incentives  
1299 to encourage local governments to adopt such siting plans and  
1300 uniform criteria and standards to be used by local governments  
1301 to implement state goals, objectives, and policies relating to  
1302 marina siting. These criteria must ensure that priority is given  
1303 to water-dependent land uses. ~~The Coastal Resources Interagency~~  
1304 ~~Management Committee shall submit its recommendations regarding~~  
1305 ~~local government incentives to the Legislature by December 1,~~

20101412er

1306 ~~1993.~~ Countywide marina siting plans must be consistent with  
1307 state and regional environmental planning policies and  
1308 standards. Each local government in the coastal area which  
1309 participates in the adoption of a countywide marina siting plan  
1310 shall incorporate the plan into the coastal management element  
1311 of its local comprehensive plan.

1312 Section 45. Subsection (12) of section 163.519, Florida  
1313 Statutes, is repealed.

1314 Section 46. Subsection (9) of section 186.007, Florida  
1315 Statutes, is repealed.

1316 Section 47. Subsection (5) of section 189.4035, Florida  
1317 Statutes, is amended to read:

1318 189.4035 Preparation of official list of special  
1319 districts.—

1320 (5) The official list of special districts shall be  
1321 available on the department's website distributed by the  
1322 ~~department on October 1 of each year to the President of the~~  
1323 ~~Senate, the Speaker of the House of Representatives, the Auditor~~  
1324 ~~General, the Department of Revenue, the Department of Financial~~  
1325 ~~Services, the Department of Management Services, the State Board~~  
1326 ~~of Administration, counties, municipalities, county property~~  
1327 ~~appraisers, tax collectors, and supervisors of elections and to~~  
1328 ~~all interested parties who request the list.~~

1329 Section 48. Subsection (2) of section 189.412, Florida  
1330 Statutes, is amended to read:

1331 189.412 Special District Information Program; duties and  
1332 responsibilities.—The Special District Information Program of  
1333 the Department of Community Affairs is created and has the  
1334 following special duties:

20101412er

1335           (2) The maintenance of a master list of independent and  
1336 dependent special districts which shall be available on the  
1337 department's website ~~annually updated and distributed to the~~  
1338 ~~appropriate officials in state and local governments.~~

1339           Section 49. Paragraph (b) of subsection (1) of section  
1340 206.606, Florida Statutes, is amended to read:

1341           206.606 Distribution of certain proceeds.—

1342           (1) Moneys collected pursuant to ss. 206.41(1)(g) and  
1343 206.87(1)(e) shall be deposited in the Fuel Tax Collection Trust  
1344 Fund. Such moneys, after deducting the service charges imposed  
1345 by s. 215.20, the refunds granted pursuant to s. 206.41, and the  
1346 administrative costs incurred by the department in collecting,  
1347 administering, enforcing, and distributing the tax, which  
1348 administrative costs may not exceed 2 percent of collections,  
1349 shall be distributed monthly to the State Transportation Trust  
1350 Fund, except that:

1351           (b) Annually, \$2.5 million shall be transferred to the  
1352 State Game Trust Fund in the Fish and Wildlife Conservation  
1353 Commission ~~in each fiscal year~~ and used for recreational boating  
1354 activities, and freshwater fisheries management and research.  
1355 The transfers must be made in equal monthly amounts beginning on  
1356 July 1 of each fiscal year. The commission shall annually  
1357 determine where unmet needs exist for boating-related  
1358 activities, and may fund such activities in counties where, due  
1359 to the number of vessel registrations, sufficient financial  
1360 resources are unavailable.

1361           1. A minimum of \$1.25 million shall be used to fund local  
1362 projects to provide recreational channel marking and other  
1363 uniform waterway markers, public boat ramps, lifts, and hoists,

20101412er

1364 marine railways, and other public launching facilities, derelict  
1365 vessel removal, and other local boating-related activities. In  
1366 funding the projects, the commission shall give priority  
1367 consideration to ~~as follows~~:

1368 a. Unmet needs in counties having ~~with~~ populations of  
1369 100,000 or fewer ~~less~~.

1370 b. Unmet needs in coastal counties having ~~with~~ a high level  
1371 of boating-related activities from individuals residing in other  
1372 counties.

1373 2. The remaining \$1.25 million may be used for recreational  
1374 boating activities and freshwater fisheries management and  
1375 research.

1376 3. The commission may ~~is authorized to~~ adopt rules pursuant  
1377 ~~to ss. 120.536(1) and 120.54~~ to administer ~~implement~~ a Florida  
1378 Boating Improvement Program.

1379  
1380 ~~On February 1 of each year,~~ The commission shall prepare and  
1381 make available on its Internet website ~~file~~ an annual report  
1382 ~~with the President of the Senate and the Speaker of the House of~~  
1383 ~~Representatives~~ outlining the status of its Florida Boating  
1384 Improvement Program, including the projects funded, and a list  
1385 of counties whose needs are unmet due to insufficient financial  
1386 resources from vessel registration fees.

1387 Section 50. Paragraph (b) of subsection (4) of section  
1388 212.054, Florida Statutes, is amended to read:

1389 212.054 Discretionary sales surtax; limitations,  
1390 administration, and collection.—

1391 (4)

1392 (b) The proceeds of a discretionary sales surtax collected

20101412er

1393 by the selling dealer located in a county imposing ~~which imposes~~  
1394 the surtax shall be returned, less the cost of administration,  
1395 to the county where the selling dealer is located. The proceeds  
1396 shall be transferred to the Discretionary Sales Surtax Clearing  
1397 Trust Fund. A separate account shall be established in the ~~such~~  
1398 trust fund for each county imposing a discretionary surtax. The  
1399 amount deducted for the costs of administration may ~~shall~~ not  
1400 exceed 3 percent of the total revenue generated for all counties  
1401 levying a surtax authorized in s. 212.055. The amount deducted  
1402 for the costs of administration may ~~shall~~ be used only for ~~those~~  
1403 costs that ~~which~~ are solely and directly attributable to the  
1404 surtax. The total cost of administration shall be prorated among  
1405 those counties levying the surtax on the basis of the amount  
1406 collected for a particular county to the total amount collected  
1407 for all counties. ~~No later than March 1 of each year, the~~  
1408 ~~department shall submit a written report which details the~~  
1409 ~~expenses and amounts deducted for the costs of administration to~~  
1410 ~~the President of the Senate, the Speaker of the House of~~  
1411 ~~Representatives, and the governing authority of each county~~  
1412 ~~levying a surtax.~~ The department shall distribute the moneys in  
1413 the trust fund ~~each month~~ to the appropriate counties each  
1414 month, unless otherwise provided in s. 212.055.

1415 Section 51. Paragraph (j) of subsection (5) of section  
1416 212.08, Florida Statutes, is amended to read:

1417 212.08 Sales, rental, use, consumption, distribution, and  
1418 storage tax; specified exemptions.—The sale at retail, the  
1419 rental, the use, the consumption, the distribution, and the  
1420 storage to be used or consumed in this state of the following  
1421 are hereby specifically exempt from the tax imposed by this

20101412er

1422 chapter.

1423 (5) EXEMPTIONS; ACCOUNT OF USE.—

1424 (j) *Machinery and equipment used in semiconductor, defense,*  
1425 *or space technology production.*—

1426 1.a. Industrial machinery and equipment used in  
1427 semiconductor technology facilities certified under subparagraph  
1428 5. to manufacture, process, compound, or produce semiconductor  
1429 technology products for sale or for use by these facilities are  
1430 exempt from the tax imposed by this chapter. For purposes of  
1431 this paragraph, industrial machinery and equipment includes  
1432 molds, dies, machine tooling, other appurtenances or accessories  
1433 to machinery and equipment, testing equipment, test beds,  
1434 computers, and software, whether purchased or self-fabricated,  
1435 and, if self-fabricated, includes materials and labor for  
1436 design, fabrication, and assembly.

1437 b. Industrial machinery and equipment used in defense or  
1438 space technology facilities certified under subparagraph 5. to  
1439 design, manufacture, assemble, process, compound, or produce  
1440 defense technology products or space technology products for  
1441 sale or for use by these facilities are exempt from the tax  
1442 imposed by this chapter.

1443 2. Building materials purchased for use in manufacturing or  
1444 expanding clean rooms in semiconductor-manufacturing facilities  
1445 are exempt from the tax imposed by this chapter.

1446 3. In addition to meeting the criteria mandated by  
1447 subparagraph 1. or subparagraph 2., a business must be certified  
1448 by the Office of Tourism, Trade, and Economic Development ~~as~~  
1449 ~~authorized in this paragraph~~ in order to qualify for exemption  
1450 under this paragraph.

20101412er

1451           4. For items purchased tax-exempt pursuant to this  
1452 paragraph, possession of a written certification from the  
1453 purchaser, certifying the purchaser's entitlement to the  
1454 exemption ~~pursuant to this paragraph~~, relieves the seller of the  
1455 responsibility of collecting the tax on the sale of such items,  
1456 and the department shall look solely to the purchaser for  
1457 recovery of the tax if it determines that the purchaser was not  
1458 entitled to the exemption.

1459           5.a. To be eligible to receive the exemption provided by  
1460 subparagraph 1. or subparagraph 2., a qualifying business entity  
1461 shall ~~apply~~ initially apply to Enterprise Florida, Inc. The  
1462 original certification is ~~shall be~~ valid for a period of 2  
1463 years. In lieu of submitting a new application, the original  
1464 certification may be renewed biennially by submitting to the  
1465 Office of Tourism, Trade, and Economic Development a statement,  
1466 certified under oath, that there has been no material change in  
1467 the conditions or circumstances entitling the business entity to  
1468 the original certification. The initial application and the  
1469 certification renewal statement shall be developed by the Office  
1470 of Tourism, Trade, and Economic Development in consultation with  
1471 Enterprise Florida, Inc.

1472           b. Enterprise Florida, Inc., shall review each submitted  
1473 initial application ~~and information~~ and determine whether or not  
1474 the application is complete within 5 working days. Once ~~an~~  
1475 ~~application is~~ complete, Enterprise Florida, Inc., shall, within  
1476 10 working days, evaluate the application and recommend approval  
1477 or disapproval ~~of the application~~ to the Office of Tourism,  
1478 Trade, and Economic Development.

1479           c. Upon receipt of the initial application and

20101412er

1480 recommendation from Enterprise Florida, Inc., or upon receipt of  
1481 a certification renewal statement, the Office of Tourism, Trade,  
1482 and Economic Development shall certify within 5 working days  
1483 those applicants who are found to meet the requirements of this  
1484 section and notify the applicant, Enterprise Florida, Inc., and  
1485 the department of the original certification or certification  
1486 renewal. If the Office of Tourism, Trade, and Economic  
1487 Development finds that the applicant does not meet the  
1488 requirements ~~of this section~~, it shall notify the applicant and  
1489 Enterprise Florida, Inc., within 10 working days that the  
1490 application for certification has been denied and the reasons  
1491 for denial. The Office of Tourism, Trade, and Economic  
1492 Development has final approval authority for certification under  
1493 this section.

1494 d. The initial application and certification renewal  
1495 statement must indicate, for program evaluation purposes only,  
1496 the average number of full-time equivalent employees at the  
1497 facility over the preceding calendar year, the average wage and  
1498 benefits paid to those employees over the preceding calendar  
1499 year, the total investment made in real and tangible personal  
1500 property over the preceding calendar year, and the total value  
1501 of tax-exempt purchases and taxes exempted during the previous  
1502 year. The department shall assist the Office of Tourism, Trade,  
1503 and Economic Development in evaluating and verifying information  
1504 provided in the application for exemption.

1505 e. The Office of Tourism, Trade, and Economic Development  
1506 may use the information reported on the initial application and  
1507 certification renewal statement for evaluation purposes only ~~and~~  
1508 ~~shall prepare an annual report on the exemption program and its~~

20101412er

1509 ~~cost and impact. The annual report for the preceding fiscal year~~  
1510 ~~shall be submitted to the Governor, the President of the Senate,~~  
1511 ~~and the Speaker of the House of Representatives by September 30~~  
1512 ~~of each fiscal year.~~

1513         6. A business certified to receive this exemption may elect  
1514 to designate one or more state universities or community  
1515 colleges as recipients of up to 100 percent of the amount of the  
1516 exemption ~~for which they may qualify~~. To receive these funds,  
1517 the institution must agree to match the funds ~~so earned~~ with  
1518 equivalent cash, programs, services, or other in-kind support on  
1519 a one-to-one basis for ~~in the pursuit of~~ research and  
1520 development projects ~~as~~ requested by the certified business. The  
1521 rights to any patents, royalties, or real or intellectual  
1522 property must be vested in the business unless otherwise agreed  
1523 to by the business and the university or community college.

1524         7. As used in this paragraph, the term:

1525         a. "Semiconductor technology products" means raw  
1526 semiconductor wafers or semiconductor thin films that are  
1527 transformed into semiconductor memory or logic wafers, including  
1528 wafers containing mixed memory and logic circuits; related  
1529 assembly and test operations; active-matrix flat panel displays;  
1530 semiconductor chips; semiconductor lasers; optoelectronic  
1531 elements; and related semiconductor technology products as  
1532 determined by the Office of Tourism, Trade, and Economic  
1533 Development.

1534         b. "Clean rooms" means manufacturing facilities enclosed in  
1535 a manner that meets the clean manufacturing requirements  
1536 necessary for high-technology semiconductor-manufacturing  
1537 environments.

20101412er

1538 c. "Defense technology products" means products that have a  
1539 military application, including, but not limited to, weapons,  
1540 weapons systems, guidance systems, surveillance systems,  
1541 communications or information systems, munitions, aircraft,  
1542 vessels, or boats, or components thereof, which are intended for  
1543 military use and manufactured in performance of a contract with  
1544 the United States Department of Defense or the military branch  
1545 of a recognized foreign government or a subcontract thereunder  
1546 which relates to matters of national defense.

1547 d. "Space technology products" means products that are  
1548 specifically designed or manufactured for application in space  
1549 activities, including, but not limited to, space launch  
1550 vehicles, space flight vehicles, missiles, satellites or  
1551 research payloads, avionics, and associated control systems and  
1552 processing systems and components of any of the foregoing. The  
1553 term does not include products that are designed or manufactured  
1554 for general commercial aviation or other uses even though those  
1555 products may also serve an incidental use in space applications.

1556 Section 52. Section 213.0452, Florida Statutes, is  
1557 repealed.

1558 Section 53. Section 213.054, Florida Statutes, is repealed.

1559 Section 54. Subsection (3) of section 215.70, Florida  
1560 Statutes, is amended to read:

1561 215.70 State Board of Administration to act in case of  
1562 defaults.—

1563 (3) ~~It shall be the duty of~~ The State Board of  
1564 Administration shall ~~to~~ monitor the debt service accounts for  
1565 bonds issued pursuant to this act. The board shall advise the  
1566 Governor and Legislature of any projected need to appropriate

20101412er

1567 funds to honor the pledge of full faith and credit of the state.  
1568 The report must ~~shall~~ include the estimated amount of  
1569 appropriations needed, the estimated maximum amount of  
1570 appropriations needed, and a contingency appropriation request  
1571 for each bond issue.

1572 Section 55. Paragraph (z) of subsection (1) of section  
1573 216.011, Florida Statutes, is amended to read:

1574 216.011 Definitions.—

1575 (1) For the purpose of fiscal affairs of the state,  
1576 appropriations acts, legislative budgets, and approved budgets,  
1577 each of the following terms has the meaning indicated:

1578 (z) "Long-range program plan" means a plan developed  
1579 pursuant to s. 216.013 ~~on an annual basis by each state agency~~  
1580 ~~that is policy based, priority driven, accountable, and~~  
1581 ~~developed through careful examination and justification of all~~  
1582 ~~programs and their associated costs. Each plan is developed by~~  
1583 ~~examining the needs of agency customers and clients and~~  
1584 ~~proposing programs and associated costs to address those needs~~  
1585 ~~based on state priorities as established by law, the agency~~  
1586 ~~mission, and legislative authorization. The plan provides the~~  
1587 ~~framework and context for preparing the legislative budget~~  
1588 ~~request and includes performance indicators for evaluating the~~  
1589 ~~impact of programs and agency performance.~~

1590 Section 56. Paragraph (c) of subsection (10) of section  
1591 216.181, Florida Statutes, is repealed.

1592 Section 57. Subsection (5) of section 252.55, Florida  
1593 Statutes, is amended to read:

1594 252.55 Civil Air Patrol, Florida Wing.—

1595 (5) The wing commander of the Florida Wing of the Civil Air

20101412er

1596 Patrol shall biennially furnish the Bureau of Emergency  
1597 Management a 2-year ~~an annual~~ projection of the goals and  
1598 objectives of the Civil Air Patrol which shall ~~for the following~~  
1599 ~~year. These will~~ be reported ~~to the Governor~~ in the division's  
1600 biennial ~~annual~~ report submitted pursuant to s. 252.35 ~~of the~~  
1601 ~~division on February 1 of each year.~~

1602 Section 58. Subsection (1) of section 253.7825, Florida  
1603 Statutes, is amended to read:

1604 253.7825 Recreational uses.—

1605 (1) The Cross Florida Greenways State Recreation and  
1606 Conservation Area must be managed as a multiple-use area  
1607 pursuant to s. 253.034(2)(a), and as ~~further~~ provided in this  
1608 section herein. ~~The University of Florida Management Plan~~  
1609 ~~provides a conceptual recreational plan that may ultimately be~~  
1610 ~~developed at various locations throughout the greenways~~  
1611 ~~corridor. The plan proposes to locate a number of the larger,~~  
1612 ~~more comprehensive and complex recreational facilities in~~  
1613 ~~sensitive, natural resource areas.~~ Future site-specific studies  
1614 and investigations must be conducted by the department to  
1615 determine compatibility with, and potential for adverse impact  
1616 to, existing natural resources, need for the facility, the  
1617 availability of other alternative locations with reduced adverse  
1618 impacts to existing natural resources, and the proper specific  
1619 sites and locations for the more comprehensive and complex  
1620 facilities. Furthermore, it is appropriate, with the approval of  
1621 the department, to allow more fishing docks, boat launches, and  
1622 other user-oriented facilities to be developed and maintained by  
1623 local governments.

1624 Section 59. Section 253.7826, Florida Statutes, is

20101412er

1625 repealed.

1626 Section 60. Section 253.7829, Florida Statutes, is  
1627 repealed.

1628 Section 61. Subsection (4) of section 259.037, Florida  
1629 Statutes, is amended to read:

1630 259.037 Land Management Uniform Accounting Council.—

1631 (4) The council shall provide a report of the agencies'  
1632 expenditures pursuant to the adopted categories ~~to the President~~  
1633 ~~of the Senate and the Speaker of the House of Representatives~~  
1634 ~~annually, beginning July 1, 2001. The council shall also provide~~  
1635 ~~this report~~ to the Acquisition and Restoration Council and the  
1636 division for inclusion in its annual report required pursuant to  
1637 s. 259.036.

1638 Section 62. Subsection (4) of section 267.074, Florida  
1639 Statutes, is repealed.

1640 Section 63. Subsection (3) of section 284.50, Florida  
1641 Statutes, is repealed.

1642 Section 64. Subsection (11) of section 287.045, Florida  
1643 Statutes, is repealed.

1644 Section 65. Section 288.1185, Florida Statutes, is  
1645 repealed.

1646 Section 66. Paragraph (e) of subsection (8) of section  
1647 288.1229, Florida Statutes, is amended to read:

1648 288.1229 Promotion and development of sports-related  
1649 industries and amateur athletics; direct-support organization;  
1650 powers and duties.—

1651 (8) To promote amateur sports and physical fitness, the  
1652 direct-support organization shall:

1653 (e) Promote Florida as a host for national and

20101412er

1654 international amateur athletic competitions. ~~As part of this~~  
1655 ~~effort, the direct support organization shall:~~

1656 ~~1. Assist and support Florida cities or communities bidding~~  
1657 ~~or seeking to host the Summer Olympics or Pan American Games.~~

1658 ~~2. Annually report to the Governor, the President of the~~  
1659 ~~Senate, and the Speaker of the House of Representatives on the~~  
1660 ~~status of the efforts of cities or communities bidding to host~~  
1661 ~~the Summer Olympics or Pan American Games, including, but not~~  
1662 ~~limited to, current financial and infrastructure status,~~  
1663 ~~projected financial and infrastructure needs, and~~  
1664 ~~recommendations for satisfying the unmet needs and fulfilling~~  
1665 ~~the requirements for a successful bid in any year that the~~  
1666 ~~Summer Olympics or Pan American Games are held in this state.~~

1667 Section 67. Subsection (4) of section 288.7015, Florida  
1668 Statutes, is repealed.

1669 Section 68. Section 288.7771, Florida Statutes, is amended  
1670 to read:

1671 288.7771 Annual report of Florida Export Finance  
1672 Corporation. ~~By March 31 of each year,~~ The corporation shall  
1673 annually prepare and submit to Enterprise Florida, Inc., for  
1674 inclusion in its annual report required by s. 288.095 ~~the~~  
1675 ~~Governor, the President of the Senate, the Speaker of the House~~  
1676 ~~of Representatives, the Senate Minority Leader, and the House~~  
1677 ~~Minority Leader~~ a complete and detailed report setting forth:

1678 (1) The report required in s. 288.776(3).

1679 (2) Its assets and liabilities at the end of its most  
1680 recent fiscal year.

1681 Section 69. Subsections (8), (10), and (11) of section  
1682 288.8175, Florida Statutes, are repealed.

20101412er

1683           Section 70. Subsection (5) of section 288.853, Florida  
1684 Statutes, is repealed.

1685           Section 71. Paragraph (1) of subsection (1) of section  
1686 288.904, Florida Statutes, is amended to read:

1687           288.904 Powers of the board of directors of Enterprise  
1688 Florida, Inc.—

1689           (1) The board of directors of Enterprise Florida, Inc.,  
1690 shall have the power to:

1691           (1) Create and dissolve advisory committees, working  
1692 groups, task forces, or similar organizations, as necessary to  
1693 carry out the mission of Enterprise Florida, Inc. ~~By August 1,~~  
1694 ~~1999, Enterprise Florida, Inc., shall establish an advisory~~  
1695 ~~committee on international business issues, and an advisory~~  
1696 ~~committee on small business issues. These committees shall be~~  
1697 ~~comprised of individuals representing the private sector and the~~  
1698 ~~public sector with expertise in the respective subject areas.~~  
1699 ~~The purpose of the committees shall be to guide and advise~~  
1700 ~~Enterprise Florida, Inc., on the development and implementation~~  
1701 ~~of policies, strategies, programs, and activities affecting~~  
1702 ~~international business and small business. The advisory~~  
1703 ~~committee on international business and the advisory committee~~  
1704 ~~on small business shall meet at the call of the chairperson or~~  
1705 ~~vice chairperson of the board of directors of Enterprise~~  
1706 ~~Florida, Inc., but shall meet at least quarterly. Meetings of~~  
1707 ~~the advisory committee on international business and the~~  
1708 ~~advisory committee on small business may be held telephonically;~~  
1709 ~~however, meetings of the committees that are held in person~~  
1710 ~~shall be rotated at different locations around the state to~~  
1711 ~~ensure participation of local and regional economic development~~

20101412er

1712 ~~practitioners and other members of the public.~~ Members of  
1713 advisory committees, working groups, task forces, or similar  
1714 organizations created by Enterprise Florida, Inc., shall serve  
1715 without compensation, but may be reimbursed for reasonable,  
1716 necessary, and actual expenses, as determined by the board of  
1717 directors of Enterprise Florida, Inc.

1718 Section 72. Subsection (5) of section 288.95155, Florida  
1719 Statutes, is amended to read:

1720 288.95155 Florida Small Business Technology Growth  
1721 Program.—

1722 (5) ~~By January 1 of each year,~~ Enterprise Florida, Inc.,  
1723 shall prepare and include in its annual report required by s.  
1724 288.095 a report on the financial status of the program ~~and the~~  
1725 ~~account and shall submit a copy of the report to the board of~~  
1726 ~~directors of Enterprise Florida, Inc., the appropriate~~  
1727 ~~legislative committees responsible for economic development~~  
1728 ~~oversight, and the appropriate legislative appropriations~~  
1729 ~~subcommittees.~~ The report must shall specify the assets and  
1730 liabilities of the program account within the current fiscal  
1731 year and must shall include a portfolio update that lists all of  
1732 the businesses assisted, the private dollars leveraged by each  
1733 business assisted, and the growth in sales and in employment of  
1734 each business assisted.

1735 Section 73. Paragraph (c) of subsection (4) of section  
1736 288.9604, Florida Statutes, is amended to read:

1737 288.9604 Creation of the authority.—

1738 (4)

1739 (c) The directors of the corporation shall annually elect  
1740 one of their members as chair and one as vice chair. The

20101412er

1741 corporation may employ a president, technical experts, and such  
1742 other agents and employees, permanent and temporary, as it  
1743 requires and determine their qualifications, duties, and  
1744 compensation. For such legal services as it requires, the  
1745 corporation may employ or retain its own counsel and legal  
1746 staff. ~~The corporation shall file with the governing body of~~  
1747 ~~each public agency with which it has entered into an interlocal~~  
1748 ~~agreement and with the Governor, the Speaker of the House of~~  
1749 ~~Representatives, the President of the Senate, the Minority~~  
1750 ~~Leaders of the Senate and House of Representatives, and the~~  
1751 ~~Auditor General, on or before 90 days after the close of the~~  
1752 ~~fiscal year of the corporation, a report of its activities for~~  
1753 ~~the preceding fiscal year, which report shall include a complete~~  
1754 ~~financial statement setting forth its assets, liabilities,~~  
1755 ~~income, and operating expenses as of the end of such fiscal~~  
1756 ~~year.~~

1757 Section 74. Section 288.9610, Florida Statutes, is amended  
1758 to read:

1759 288.9610 Annual reports of Florida Development Finance  
1760 Corporation.—On or before 90 days after the close of ~~By December~~  
1761 ~~1 of each year,~~ the Florida Development Finance Corporation's  
1762 fiscal year, the corporation shall submit to the Governor, the  
1763 Legislature President of the Senate, ~~the Speaker of the House of~~  
1764 ~~Representatives, the Senate Minority Leader, the House Minority~~  
1765 ~~Leader,~~ the Auditor General, and the governing body of each  
1766 public entity with which it has entered into an interlocal  
1767 agreement ~~city or county activating the Florida Development~~  
1768 ~~Finance Corporation~~ a complete and detailed report setting  
1769 forth:

20101412er

1770 (1) The results of any audit conducted pursuant to s. 11.45  
1771 ~~evaluation required in s. 11.45(3)(j).~~

1772 (2) The activities, operations, and accomplishments of the  
1773 Florida Development Finance Corporation, including the number of  
1774 businesses assisted by the corporation.

1775 (3) Its assets, and liabilities, income, and operating  
1776 expenses at the end of its most recent fiscal year, including a  
1777 description of all of its outstanding revenue bonds.

1778 Section 75. Subsection (6) of section 292.05, Florida  
1779 Statutes, is amended to read:

1780 292.05 Duties of Department of Veterans' Affairs.—

1781 (6) The department shall, by ~~on~~ December 31 of each year,  
1782 submit ~~make~~ an annual written report to the Governor, the  
1783 Cabinet, and the Legislature which describes: ~~of the state, the~~  
1784 ~~Speaker of the House of Representatives, and the President of~~  
1785 ~~the Senate, which report shall show~~

1786 (a) The expenses incurred in veteran service work in the  
1787 state; the number, nature, and kind of cases handled by the  
1788 department and by county and city veteran service officers of  
1789 the state; the amounts of benefits obtained for veterans; the  
1790 names and addresses of all certified veteran service officers,  
1791 including county and city veteran service officers. The report  
1792 must ~~shall~~ also describe the actions taken by the department in  
1793 implementing subsections (4), (5), and (7) and include ~~shall~~  
1794 ~~contain such~~ other information and recommendations as ~~may appear~~  
1795 ~~to~~ the department requires ~~to be right and proper.~~

1796 (b) The current status of the department's domiciliary and  
1797 nursing homes established pursuant to chapter 296, including all  
1798 receipts and expenditures, the condition of the homes, the

20101412er

1799 number of residents received and discharged during the preceding  
1800 year, occupancy rates, staffing, and any other information  
1801 necessary to provide an understanding of the management,  
1802 conduct, and operation of the homes.

1803 Section 76. Section 296.16, Florida Statutes, is repealed.

1804 Section 77. Section 296.39, Florida Statutes, is repealed.

1805 Section 78. Paragraph (c) of subsection (12) of section  
1806 315.03, Florida Statutes, is repealed.

1807 Section 79. Subsection (2) of section 319.324, Florida  
1808 Statutes, is amended to read:

1809 319.324 Odometer fraud prevention and detection; funding.-

1810 (2) Moneys deposited into the Highway Safety Operating  
1811 Trust Fund under this section shall be used to implement and  
1812 maintain efforts by the department to prevent and detect  
1813 odometer fraud, including the prompt investigation of alleged  
1814 instances of odometer mileage discrepancies reported by licensed  
1815 motor vehicle dealers, auctions, or purchasers of motor  
1816 vehicles. ~~Such moneys shall also be used to fund an annual~~  
1817 ~~report to the Legislature by the Department of Highway Safety~~  
1818 ~~and Motor Vehicles, summarizing the department's investigations~~  
1819 ~~and findings.~~ In addition, moneys deposited into the fund may be  
1820 used by the department for general operations.

1821 Section 80. Section 322.181, Florida Statutes, is repealed.

1822 Section 81. Paragraph (c) of subsection (7) of section  
1823 322.251, Florida Statutes, is repealed.

1824 Section 82. Section 373.0391, Florida Statutes, is amended  
1825 to read:

1826 373.0391 Technical assistance to local governments.-

1827 ~~(1)~~ The water management districts shall assist local

20101412er

1828 governments in the development and future revision of local  
1829 government comprehensive plan elements or public facilities  
1830 report as required by s. 189.415, related to water resource  
1831 issues.

1832 ~~(2) By July 1, 1991, each water management district shall~~  
1833 ~~prepare and provide information and data to assist local~~  
1834 ~~governments in the preparation and implementation of their local~~  
1835 ~~government comprehensive plans or public facilities report as~~  
1836 ~~required by s. 189.415, whichever is applicable. Such~~  
1837 ~~information and data shall include, but not be limited to:~~

1838 ~~(a) All information and data required in a public~~  
1839 ~~facilities report pursuant to s. 189.415.~~

1840 ~~(b) A description of regulations, programs, and schedules~~  
1841 ~~implemented by the district.~~

1842 ~~(c) Identification of regulations, programs, and schedules~~  
1843 ~~undertaken or proposed by the district to further the State~~  
1844 ~~Comprehensive Plan.~~

1845 ~~(d) A description of surface water basins, including~~  
1846 ~~regulatory jurisdictions, flood-prone areas, existing and~~  
1847 ~~projected water quality in water management district operated~~  
1848 ~~facilities, as well as surface water runoff characteristics and~~  
1849 ~~topography regarding flood plains, wetlands, and recharge areas.~~

1850 ~~(e) A description of groundwater characteristics, including~~  
1851 ~~existing and planned wellfield sites, existing and anticipated~~  
1852 ~~cones of influence, highly productive groundwater areas, aquifer~~  
1853 ~~recharge areas, deep well injection zones, contaminated areas,~~  
1854 ~~an assessment of regional water resource needs and sources for~~  
1855 ~~the next 20 years, and water quality.~~

1856 ~~(f) The identification of existing and potential water~~

20101412er

1857 ~~management district land acquisitions.~~

1858 ~~(g) Information reflecting the minimum flows for surface~~  
1859 ~~watercourses to avoid harm to water resources or the ecosystem~~  
1860 ~~and information reflecting the minimum water levels for aquifers~~  
1861 ~~to avoid harm to water resources or the ecosystem.~~

1862 Section 83. Subsection (4) of section 373.046, Florida  
1863 Statutes, is amended to read:

1864 373.046 Interagency agreements.—

1865 (4) The Legislature recognizes and affirms the division of  
1866 responsibilities between the department and the water management  
1867 districts as set forth in ss. III. and X. of each of the  
1868 operating agreements codified as rules 17-101.040(12)(a)3., 4.,  
1869 and 5., Florida Administrative Code. Section IV.A.2.a. of each  
1870 operating agreement regarding individual permit oversight is  
1871 rescinded. The department is ~~shall be~~ responsible for permitting  
1872 those activities under part IV of this chapter which, because of  
1873 their complexity and magnitude, need to be economically and  
1874 efficiently evaluated at the state level, including, but not  
1875 limited to, mining, hazardous waste management facilities, and  
1876 solid waste management facilities that do not qualify for a  
1877 general permit under chapter 403. With regard to  
1878 postcertification information submittals for activities  
1879 authorized under chapters 341 and 403 siting act certifications,  
1880 the department, after consultation with the appropriate water  
1881 management district and other agencies having applicable  
1882 regulatory jurisdiction, shall determine ~~be responsible for~~  
1883 ~~determining~~ the permittee's compliance with conditions of  
1884 certification which are ~~were~~ based upon the nonprocedural  
1885 requirements of part IV of this chapter. ~~The Legislature~~

20101412er

1886 ~~authorizes~~ The water management districts and the department may  
1887 ~~to~~ modify the division of responsibilities referenced in this  
1888 section and enter into further interagency agreements by  
1889 rulemaking, including incorporation by reference, pursuant to  
1890 chapter 120, to provide for greater efficiency and to avoid  
1891 duplication in the administration of part IV of this chapter by  
1892 designating ~~certain~~ activities that ~~which~~ will be regulated by  
1893 either the water management districts or the department. In  
1894 developing such interagency agreements, the water management  
1895 districts and the department shall consider ~~should take into~~  
1896 ~~consideration~~ the technical and fiscal ability of each water  
1897 management district to implement all or some of the provisions  
1898 of part IV of this chapter. This subsection does not rescind or  
1899 restrict ~~Nothing herein rescinds or restricts~~ the authority of  
1900 the districts to regulate silviculture and agriculture pursuant  
1901 to part IV of this chapter or s. 403.927. ~~By December 10, 1993,~~  
1902 ~~the secretary of the department shall submit a report to the~~  
1903 ~~President of the Senate and the Speaker of the House of~~  
1904 ~~Representatives regarding the efficiency of the procedures and~~  
1905 ~~the division of responsibilities contemplated by this subsection~~  
1906 ~~and regarding progress toward the execution of further~~  
1907 ~~interagency agreements and the integration of permitting with~~  
1908 ~~sovereignty lands approval. The report also will consider the~~  
1909 ~~feasibility of improving the protection of the environment~~  
1910 ~~through comprehensive criteria for protection of natural~~  
1911 ~~systems.~~

1912 Section 84. Subsection (14) of section 376.121, Florida  
1913 Statutes, is repealed.

1914 Section 85. Section 376.17, Florida Statutes, is repealed.

20101412er

1915           Section 86. Subsection (5) of section 376.30713, Florida  
1916 Statutes, is repealed.

1917           Section 87. Subsection (2) of section 379.2211, Florida  
1918 Statutes, is amended to read:

1919           379.2211 Florida waterfowl permit revenues.—

1920           (2) The intent of this section is to expand waterfowl  
1921 research and management and increase waterfowl populations in  
1922 the state without detracting from other programs. The commission  
1923 shall prepare and make available on its Internet website an  
1924 annual report documenting the use of funds generated under ~~the~~  
1925 ~~provisions of this section, to be submitted to the Governor, the~~  
1926 ~~Speaker of the House of Representatives, and the President of~~  
1927 ~~the Senate on or before September 1 of each year.~~

1928           Section 88. Subsection (2) of section 379.2212, Florida  
1929 Statutes, is amended to read:

1930           379.2212 Florida wild turkey permit revenues.—

1931           (2) The intent of this section is to expand wild turkey  
1932 research and management and to increase wild turkey populations  
1933 in the state without detracting from other programs. The  
1934 commission shall prepare and make available on its Internet  
1935 website an annual report documenting the use of funds generated  
1936 under ~~the provisions of this section, to be submitted to the~~  
1937 ~~Governor, the Speaker of the House of Representatives, and the~~  
1938 ~~President of the Senate on or before September 1 of each year.~~

1939           Section 89. Subsection (8) of section 379.2523, Florida  
1940 Statutes, is repealed.

1941           Section 90. Paragraph (a) of subsection (2) of section  
1942 380.06, Florida Statutes, is amended to read:

1943           380.06 Developments of regional impact.—

20101412er

1944 (2) STATEWIDE GUIDELINES AND STANDARDS.—

1945 (a) The state land planning agency shall recommend to the  
1946 Administration Commission specific statewide guidelines and  
1947 standards for adoption pursuant to this subsection. The  
1948 Administration Commission shall by rule adopt statewide  
1949 guidelines and standards to be used in determining whether  
1950 particular developments shall undergo development-of-regional-  
1951 impact review. The statewide guidelines and standards previously  
1952 adopted by the Administration Commission and approved by the  
1953 Legislature shall remain in effect unless revised pursuant to  
1954 this section or superseded by other provisions of law. ~~Revisions~~  
1955 ~~to the present statewide guidelines and standards, after~~  
1956 ~~adoption by the Administration Commission, shall be transmitted~~  
1957 ~~on or before March 1 to the President of the Senate and the~~  
1958 ~~Speaker of the House of Representatives for presentation at the~~  
1959 ~~next regular session of the Legislature. Unless approved by law~~  
1960 ~~by the Legislature, the revisions to the present guidelines and~~  
1961 ~~standards shall not become effective.~~

1962 Section 91. Subsection (3) of section 380.0677, Florida  
1963 Statutes, is repealed.

1964 Section 92. Subsection (3) of section 381.0011, Florida  
1965 Statutes, is repealed.

1966 Section 93. Section 381.0036, Florida Statutes, is  
1967 repealed.

1968 Section 94. Section 381.731, Florida Statutes, is repealed.

1969 Section 95. Section 381.795, Florida Statutes, is amended  
1970 to read:

1971 381.795 Long-term community-based supports.—The department  
1972 shall, contingent upon specific appropriations for these

20101412er

1973 purposes, establish;

1974 ~~(1) Study the long-term needs for community-based supports~~  
1975 ~~and services for individuals who have sustained traumatic brain~~  
1976 ~~or spinal cord injuries. The purpose of this study is to prevent~~  
1977 ~~inappropriate residential and institutional placement of these~~  
1978 ~~individuals, and promote placement in the most cost effective~~  
1979 ~~and least restrictive environment. Any placement recommendations~~  
1980 ~~for these individuals shall ensure full utilization of and~~  
1981 ~~collaboration with other state agencies, programs, and community~~  
1982 ~~partners. This study shall be submitted to the Governor, the~~  
1983 ~~President of the Senate, and the Speaker of the House of~~  
1984 ~~Representatives not later than December 31, 2000.~~

1985 ~~(2) Based upon the results of this study, establish a plan~~  
1986 ~~for the implementation of a program of long-term community-based~~  
1987 ~~supports and services for individuals who have sustained~~  
1988 ~~traumatic brain or spinal cord injuries and who may be subject~~  
1989 ~~to inappropriate residential and institutional placement as a~~  
1990 ~~direct result of such injuries.~~

1991 ~~(1)(a)~~ The program shall be payor of last resort for  
1992 program services, and expenditures for ~~such~~ services shall be  
1993 considered funded services for purposes of s. 381.785; however,  
1994 notwithstanding s. 381.79(5), proceeds resulting from this  
1995 subsection shall be used solely for this program.

1996 ~~(2)(b)~~ The department shall adopt ~~create~~, by rule,  
1997 procedures to ensure, that if ~~in the event~~ the program is unable  
1998 to directly or indirectly provide ~~such~~ services to all eligible  
1999 individuals due to lack of funds, those individuals most at risk  
2000 of suffering ~~to suffer~~ the greatest harm from an imminent  
2001 inappropriate residential or institutional placement are served

20101412er

2002 first.

2003 (3)~~(e)~~ Every applicant or recipient of the long-term  
2004 community-based supports and services program must ~~shall~~ have  
2005 been a resident of the state for 1 year immediately preceding  
2006 application and be a resident of the state at the time of  
2007 application.

2008 (4)~~(d)~~ The department shall adopt rules ~~pursuant to ss.~~  
2009 ~~120.536(1) and 120.54 to administer~~ implement the provision of  
2010 this section ~~subsection~~.

2011 Section 96. Section 381.931, Florida Statutes, is amended  
2012 to read:

2013 381.931 Annual report on Medicaid expenditures.—The  
2014 Department of Health and the Agency for Health Care  
2015 Administration shall monitor the total Medicaid expenditures for  
2016 services made under this act. If Medicaid expenditures are  
2017 projected to exceed the amount appropriated by the Legislature,  
2018 the Department of Health shall limit the number of screenings to  
2019 ensure Medicaid expenditures do not exceed the amount  
2020 appropriated. ~~The Department of Health, in cooperation with the~~  
2021 ~~Agency for Health Care Administration, shall prepare an annual~~  
2022 ~~report that must include the number of women screened; the~~  
2023 ~~percentage of positive and negative outcomes; the number of~~  
2024 ~~referrals to Medicaid and other providers for treatment~~  
2025 ~~services; the estimated number of women who are not screened or~~  
2026 ~~not served by Medicaid due to funding limitations, if any; the~~  
2027 ~~cost of Medicaid treatment services; and the estimated cost of~~  
2028 ~~treatment services for women who were not screened or referred~~  
2029 ~~for treatment due to funding limitations. The report shall be~~  
2030 ~~submitted to the President of the Senate, the Speaker of the~~

20101412er

2031 ~~House of Representatives, and the Executive Office of the~~  
2032 ~~Governor by March 1 of each year.~~

2033 Section 97. Subsection (6) of section 383.19, Florida  
2034 Statutes, is amended to read:

2035 383.19 Standards; funding; ineligibility.—

2036 (6) Each hospital that ~~which~~ contracts with the department  
2037 to provide services under the terms of ss. 383.15-383.21 shall  
2038 prepare and submit to the department an annual report that  
2039 includes, but is not limited to, the number of clients served  
2040 and the costs of services in the center. The department shall  
2041 annually conduct a programmatic and financial evaluation of each  
2042 center.

2043 Section 98. Section 383.21, Florida Statutes, is repealed.

2044 Section 99. Section 383.2161, Florida Statutes, is amended  
2045 to read:

2046 383.2161 Maternal and child health report.—The Department  
2047 of Health ~~annually~~ shall annually compile and analyze the risk  
2048 information collected by the Office of Vital Statistics and the  
2049 district prenatal and infant care coalitions and shall maintain  
2050 county and statewide data on ~~prepare and submit to the~~  
2051 ~~Legislature by January 2 a report that includes, but is not~~  
2052 ~~limited to:~~

2053 (1) The number of families identified as families at  
2054 potential risk;

2055 (2) The number of families receiving ~~that receive~~ family  
2056 outreach services;

2057 (3) The increase in demand for services; and

2058 (4) The unmet need for services for identified target  
2059 groups.

20101412er

2060           Section 100. Subsection (4) of section 394.4573, Florida  
2061 Statutes, is repealed.

2062           Section 101. Subsection (1) of section 394.4985, Florida  
2063 Statutes, is amended to read:

2064           394.4985 Districtwide information and referral network;  
2065 implementation.—

2066           (1) Each service district of the Department of Children and  
2067 Family Services shall develop a detailed implementation plan for  
2068 a districtwide comprehensive child and adolescent mental health  
2069 information and referral network to be operational by July 1,  
2070 1999. The plan must include an operating budget that  
2071 demonstrates cost efficiencies and identifies funding sources  
2072 for the district information and referral network. ~~The plan must~~  
2073 ~~be submitted by the department to the Legislature by October 1,~~  
2074 ~~1998.~~ The district shall use existing district information and  
2075 referral providers if, in the development of the plan, it is  
2076 concluded that these providers would deliver information and  
2077 referral services in a more efficient and effective manner when  
2078 compared to other alternatives. The district information and  
2079 referral network must include:

2080           (a) A resource file that contains information about the  
2081 child and adolescent mental health services as described in s.  
2082 394.495, including, but not limited to:

- 2083           1. Type of program;
- 2084           2. Hours of service;
- 2085           3. Ages of persons served;
- 2086           4. Program description;
- 2087           5. Eligibility requirements; and
- 2088           6. Fees.

20101412er

2089 (b) Information about private providers and professionals  
2090 in the community who ~~which~~ serve children and adolescents with  
2091 an emotional disturbance.

2092 (c) A system to document requests for services which ~~that~~  
2093 are received through the network referral process, including,  
2094 but not limited to:

2095 1. Number of calls by type of service requested;

2096 2. Ages of the children and adolescents for whom services  
2097 are requested; and

2098 3. Type of referral made by the network.

2099 (d) The ability to share client information with the  
2100 appropriate community agencies.

2101 ~~(e) The submission of an annual report to the department,~~  
2102 ~~the Agency for Health Care Administration, and appropriate local~~  
2103 ~~government entities, which contains information about the~~  
2104 ~~sources and frequency of requests for information, types and~~  
2105 ~~frequency of services requested, and types and frequency of~~  
2106 ~~referrals made.~~

2107 Section 102. Section 394.82, Florida Statutes, is repealed.

2108 Section 103. Section 394.9083, Florida Statutes, is  
2109 repealed.

2110 Section 104. Paragraph (c) of subsection (2) of section  
2111 395.807, Florida Statutes, is repealed.

2112 Section 105. Subsection (3) of section 397.332, Florida  
2113 Statutes, is repealed.

2114 Section 106. Subsection (1) of section 397.94, Florida  
2115 Statutes, is repealed.

2116 Section 107. Subsection (2) of section 400.148, Florida  
2117 Statutes, is repealed.

20101412er

2118 Section 108. Paragraph (a) of subsection (2) of section  
2119 400.967, Florida Statutes, is amended to read:  
2120 400.967 Rules and classification of deficiencies.—  
2121 (2) Pursuant to the intention of the Legislature, the  
2122 agency, in consultation with the Agency for Persons with  
2123 Disabilities and the Department of Elderly Affairs, shall adopt  
2124 and enforce rules to administer this part and part II of chapter  
2125 408, which shall include reasonable and fair criteria governing:  
2126 (a) The location and construction of the facility;  
2127 including fire and life safety, plumbing, heating, cooling,  
2128 lighting, ventilation, and other housing conditions that ~~will~~  
2129 ensure the health, safety, and comfort of residents. The agency  
2130 shall establish standards for facilities and equipment to  
2131 increase the extent to which new facilities and a new wing or  
2132 floor added to an existing facility after July 1, 2000, are  
2133 structurally capable of serving as shelters only for residents,  
2134 staff, and families of residents and staff, and equipped to be  
2135 self-supporting during and immediately following disasters. ~~The~~  
2136 ~~Agency for Health Care Administration shall work with facilities~~  
2137 ~~licensed under this part and report to the Governor and the~~  
2138 ~~Legislature by April 1, 2000, its recommendations for cost-~~  
2139 ~~effective renovation standards to be applied to existing~~  
2140 ~~facilities. In making such rules, the agency shall be guided by~~  
2141 ~~criteria recommended by nationally recognized, reputable~~  
2142 ~~professional groups and associations having knowledge concerning~~  
2143 ~~such subject matters.~~ The agency shall update or revise the ~~such~~  
2144 criteria as the need arises. All facilities must comply with  
2145 those lifesafety code requirements and building code standards  
2146 applicable at the time of approval of their construction plans.

20101412er

2147 The agency may require alterations to a building if it  
2148 determines that an existing condition constitutes a distinct  
2149 hazard to life, health, or safety. The agency shall adopt fair  
2150 and reasonable rules setting forth conditions under which  
2151 existing facilities undergoing additions, alterations,  
2152 conversions, renovations, or repairs are required to comply with  
2153 the most recent updated or revised standards.

2154 Section 109. Subsection (3) of section 402.3016, Florida  
2155 Statutes, is repealed.

2156 Section 110. Subsection (9) of section 402.40, Florida  
2157 Statutes, is repealed.

2158 Section 111. Subsection (1) of section 403.4131, Florida  
2159 Statutes, is amended to read:

2160 403.4131 Litter control.—

2161 (1) The Department of Transportation shall establish an  
2162 “adopt-a-highway” program to allow local organizations to be  
2163 identified with specific highway cleanup and highway  
2164 beautification projects authorized under s. 339.2405. ~~The~~  
2165 ~~department shall report to the Governor and the Legislature on~~  
2166 ~~the progress achieved and the savings incurred by the “adopt-a-~~  
2167 ~~highway” program.~~ The department shall also monitor ~~and report~~  
2168 ~~on~~ compliance with the provisions of the adopt-a-highway program  
2169 to ensure that organizations participating ~~that participate~~ in  
2170 the program comply with the goals identified by the department.

2171 Section 112. Paragraph (d) of subsection (2) of section  
2172 403.706, Florida Statutes, is repealed.

2173 Section 113. Paragraph (a) of subsection (4) of section  
2174 406.02, Florida Statutes, is repealed.

2175 Section 114. Paragraph (g) of subsection (1) of section

20101412er

2176 408.033, Florida Statutes, is amended to read:

2177 408.033 Local and state health planning.—

2178 (1) LOCAL HEALTH COUNCILS.—

2179 (g) Each local health council may ~~is authorized to~~ accept  
2180 and receive, in furtherance of its health planning functions,  
2181 funds, grants, and services from governmental agencies and from  
2182 private or civic sources and to perform studies related to local  
2183 health planning in exchange for such funds, grants, or services.  
2184 Each ~~local health~~ council shall, no later than January 30 of  
2185 each year, render an accounting of the receipt and disbursement  
2186 of such funds received by it to the Department of Health. ~~The~~  
2187 ~~department shall consolidate all such reports and submit such~~  
2188 ~~consolidated report to the Legislature no later than March 1 of~~  
2189 ~~each year.~~

2190 Section 115. Subsection (4) of section 408.914, Florida  
2191 Statutes, is repealed.

2192 Section 116. Paragraph (i) of subsection (3) of section  
2193 408.915, Florida Statutes, is repealed.

2194 Section 117. Section 408.917, Florida Statutes, is  
2195 repealed.

2196 Section 118. Paragraph (b) of subsection (7) of section  
2197 409.1451, Florida Statutes, is amended to read:

2198 409.1451 Independent living transition services.—

2199 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The  
2200 Secretary of Children and Family Services shall establish the  
2201 Independent Living Services Advisory Council for the purpose of  
2202 reviewing and making recommendations concerning the  
2203 implementation and operation of the independent living  
2204 transition services. This advisory council shall continue to

20101412er

2205 function as specified in this subsection until the Legislature  
2206 determines that the advisory council can no longer provide a  
2207 valuable contribution to the department's efforts to achieve the  
2208 goals of the independent living transition services.

2209 (b) The advisory council shall report to the secretary  
2210 ~~appropriate substantive committees of the Senate and the House~~  
2211 ~~of Representatives~~ on the status of the implementation of the  
2212 system of independent living transition services; efforts to  
2213 publicize the availability of aftercare support services, the  
2214 Road-to-Independence Program, and transitional support services;  
2215 the success of the services; problems identified;  
2216 recommendations for department or legislative action; and the  
2217 department's implementation of the recommendations contained in  
2218 the Independent Living Services Integration Workgroup Report  
2219 submitted to the appropriate Senate and the House substantive  
2220 committees of the Legislature by December 31, 2002. The  
2221 department shall submit a report by December 31 of each year to  
2222 the Governor and the Legislature ~~This advisory council report~~  
2223 ~~shall be submitted by December 31 of each year that the council~~  
2224 ~~is in existence and shall be accompanied by a report from the~~  
2225 ~~department~~ which includes a summary of the factors reported on  
2226 by the council and identifies the recommendations of the  
2227 advisory council and either describes the department's actions  
2228 to implement the ~~these~~ recommendations or provides the  
2229 department's rationale for not implementing the recommendations.

2230 Section 119. Section 409.152, Florida Statutes, is  
2231 repealed.

2232 Section 120. Subsections (1) and (2) of section 409.1679,  
2233 Florida Statutes, are repealed.

20101412er

2234 Section 121. Section 409.1685, Florida Statutes, is amended  
2235 to read:

2236 409.1685 Children in foster care; annual report to  
2237 Legislature.—The Department of Children and Family Services  
2238 shall submit a written report to the Governor and ~~substantive~~  
2239 ~~committees~~ of the Legislature concerning the status of children  
2240 in foster care and ~~concerning~~ the judicial review mandated by  
2241 part X of chapter 39. ~~The~~ This report shall be submitted by May  
2242 ~~March~~ 1 of each year and must ~~shall~~ include the following  
2243 information for the prior calendar year:

2244 (1) The number of 6-month and annual judicial reviews  
2245 completed during that period.

2246 (2) The number of children in foster care returned to a  
2247 parent, guardian, or relative as a result of a 6-month or annual  
2248 judicial review hearing during that period.

2249 (3) The number of termination of parental rights  
2250 proceedings instituted during that period, including ~~which shall~~  
2251 ~~include~~:

2252 (a) The number of termination of parental rights  
2253 proceedings initiated pursuant to former s. 39.703; and

2254 (b) The total number of terminations of parental rights  
2255 ordered.

2256 (4) The number of foster care children placed for adoption  
2257 ~~during that period~~.

2258 Section 122. Paragraph (k) of subsection (4) of section  
2259 409.221, Florida Statutes, is repealed.

2260 Section 123. Paragraph (a) of subsection (3) of section  
2261 409.25575, Florida Statutes, is amended to read:

2262 409.25575 Support enforcement; privatization.—

20101412er

2263           (3) (a) The department shall establish a quality assurance  
2264 program for the privatization of services. The ~~quality assurance~~  
2265 program must include standards for each specific component of  
2266 these services. The department shall establish minimum  
2267 thresholds for each component. Each program operated pursuant to  
2268 contract must be evaluated annually by the department or by an  
2269 objective competent entity designated by the department under  
2270 the provisions of the quality assurance program. The evaluation  
2271 must be financed from cost savings associated with the  
2272 privatization of services. ~~The department shall submit an annual~~  
2273 ~~report regarding quality performance, outcome measure~~  
2274 ~~attainment, and cost efficiency to the President of the Senate,~~  
2275 ~~the Speaker of the House of Representatives, the Minority leader~~  
2276 ~~of each house of the Legislature, and the Governor no later than~~  
2277 ~~January 31 of each year, beginning in 1999.~~ The quality  
2278 assurance program must be financed through administrative  
2279 savings generated by this act.

2280           Section 124. Subsection (9) of section 409.2558, Florida  
2281 Statutes, is amended to read:

2282           409.2558 Support distribution and disbursement.—

2283           (9) RULEMAKING AUTHORITY.—The department may adopt rules to  
2284 administer this section. ~~The department shall provide a draft of~~  
2285 ~~the proposed concepts for the rule for the undistributable~~  
2286 ~~collections to interested parties for review and recommendations~~  
2287 ~~prior to full development of the rule and initiating the formal~~  
2288 ~~rule development process. The department shall consider but is~~  
2289 ~~not required to implement the recommendations. The department~~  
2290 ~~shall provide a report to the President of the Senate and the~~  
2291 ~~Speaker of the House of Representatives containing the~~

20101412er

2292 ~~recommendations received from interested parties and the~~  
2293 ~~department's response regarding incorporating the~~  
2294 ~~recommendations into the rule.~~

2295       Section 125. Subsection (3) of section 409.441, Florida  
2296 Statutes, is repealed.

2297       Section 126. Subsection (24) of section 409.906, Florida  
2298 Statutes, is amended to read:

2299       409.906 Optional Medicaid services.—Subject to specific  
2300 appropriations, the agency may make payments for services which  
2301 are optional to the state under Title XIX of the Social Security  
2302 Act and are furnished by Medicaid providers to recipients who  
2303 are determined to be eligible on the dates on which the services  
2304 were provided. Any optional service that is provided shall be  
2305 provided only when medically necessary and in accordance with  
2306 state and federal law. Optional services rendered by providers  
2307 in mobile units to Medicaid recipients may be restricted or  
2308 prohibited by the agency. Nothing in this section shall be  
2309 construed to prevent or limit the agency from adjusting fees,  
2310 reimbursement rates, lengths of stay, number of visits, or  
2311 number of services, or making any other adjustments necessary to  
2312 comply with the availability of moneys and any limitations or  
2313 directions provided for in the General Appropriations Act or  
2314 chapter 216. If necessary to safeguard the state's systems of  
2315 providing services to elderly and disabled persons and subject  
2316 to the notice and review provisions of s. 216.177, the Governor  
2317 may direct the Agency for Health Care Administration to amend  
2318 the Medicaid state plan to delete the optional Medicaid service  
2319 known as "Intermediate Care Facilities for the Developmentally  
2320 Disabled." Optional services may include:

20101412er

2321 (24) CHILD-WELFARE-TARGETED CASE MANAGEMENT.—The Agency for  
2322 Health Care Administration, in consultation with the Department  
2323 of Children and Family Services, may establish a targeted case-  
2324 management project in those counties identified by the  
2325 Department of Children and Family Services and for all counties  
2326 with a community-based child welfare project, as authorized  
2327 under s. 409.1671, which have been specifically approved by the  
2328 department. ~~Results of targeted case management projects shall~~  
2329 ~~be reported to the Social Services Estimating Conference~~  
2330 ~~established under s. 216.136.~~ The covered group of individuals  
2331 who are eligible to receive targeted case management include  
2332 children who are eligible for Medicaid; who are between the ages  
2333 of birth through 21; and who are under protective supervision or  
2334 postplacement supervision, under foster-care supervision, or in  
2335 shelter care or foster care. The number of individuals who are  
2336 eligible to receive targeted case management is ~~shall be~~ limited  
2337 to the number for whom the Department of Children and Family  
2338 Services has ~~available~~ matching funds to cover the costs. The  
2339 general revenue funds required to match the funds for services  
2340 provided by the community-based child welfare projects are  
2341 limited to funds available for services described under s.  
2342 409.1671. The Department of Children and Family Services may  
2343 transfer the general revenue matching funds as billed by the  
2344 Agency for Health Care Administration.

2345 Section 127. Subsections (29) and (44), and paragraph (c)  
2346 of subsection (49) of section 409.912, Florida Statutes, are  
2347 amended to read:

2348 409.912 Cost-effective purchasing of health care.—The  
2349 agency shall purchase goods and services for Medicaid recipients

20101412er

2350 in the most cost-effective manner consistent with the delivery  
2351 of quality medical care. To ensure that medical services are  
2352 effectively utilized, the agency may, in any case, require a  
2353 confirmation or second physician's opinion of the correct  
2354 diagnosis for purposes of authorizing future services under the  
2355 Medicaid program. This section does not restrict access to  
2356 emergency services or poststabilization care services as defined  
2357 in 42 C.F.R. part 438.114. Such confirmation or second opinion  
2358 shall be rendered in a manner approved by the agency. The agency  
2359 shall maximize the use of prepaid per capita and prepaid  
2360 aggregate fixed-sum basis services when appropriate and other  
2361 alternative service delivery and reimbursement methodologies,  
2362 including competitive bidding pursuant to s. 287.057, designed  
2363 to facilitate the cost-effective purchase of a case-managed  
2364 continuum of care. The agency shall also require providers to  
2365 minimize the exposure of recipients to the need for acute  
2366 inpatient, custodial, and other institutional care and the  
2367 inappropriate or unnecessary use of high-cost services. The  
2368 agency shall contract with a vendor to monitor and evaluate the  
2369 clinical practice patterns of providers in order to identify  
2370 trends that are outside the normal practice patterns of a  
2371 provider's professional peers or the national guidelines of a  
2372 provider's professional association. The vendor must be able to  
2373 provide information and counseling to a provider whose practice  
2374 patterns are outside the norms, in consultation with the agency,  
2375 to improve patient care and reduce inappropriate utilization.  
2376 The agency may mandate prior authorization, drug therapy  
2377 management, or disease management participation for certain  
2378 populations of Medicaid beneficiaries, certain drug classes, or

20101412er

2379 particular drugs to prevent fraud, abuse, overuse, and possible  
2380 dangerous drug interactions. The Pharmaceutical and Therapeutics  
2381 Committee shall make recommendations to the agency on drugs for  
2382 which prior authorization is required. The agency shall inform  
2383 the Pharmaceutical and Therapeutics Committee of its decisions  
2384 regarding drugs subject to prior authorization. The agency is  
2385 authorized to limit the entities it contracts with or enrolls as  
2386 Medicaid providers by developing a provider network through  
2387 provider credentialing. The agency may competitively bid single-  
2388 source-provider contracts if procurement of goods or services  
2389 results in demonstrated cost savings to the state without  
2390 limiting access to care. The agency may limit its network based  
2391 on the assessment of beneficiary access to care, provider  
2392 availability, provider quality standards, time and distance  
2393 standards for access to care, the cultural competence of the  
2394 provider network, demographic characteristics of Medicaid  
2395 beneficiaries, practice and provider-to-beneficiary standards,  
2396 appointment wait times, beneficiary use of services, provider  
2397 turnover, provider profiling, provider licensure history,  
2398 previous program integrity investigations and findings, peer  
2399 review, provider Medicaid policy and billing compliance records,  
2400 clinical and medical record audits, and other factors. Providers  
2401 shall not be entitled to enrollment in the Medicaid provider  
2402 network. The agency shall determine instances in which allowing  
2403 Medicaid beneficiaries to purchase durable medical equipment and  
2404 other goods is less expensive to the Medicaid program than long-  
2405 term rental of the equipment or goods. The agency may establish  
2406 rules to facilitate purchases in lieu of long-term rentals in  
2407 order to protect against fraud and abuse in the Medicaid program

20101412er

2408 as defined in s. 409.913. The agency may seek federal waivers  
2409 necessary to administer these policies.

2410 (29) The agency shall perform enrollments and  
2411 disenrollments for Medicaid recipients who are eligible for  
2412 MediPass or managed care plans. Notwithstanding the prohibition  
2413 contained in paragraph (21) (f), managed care plans may perform  
2414 preenrollments of Medicaid recipients under the supervision of  
2415 the agency or its agents. For the purposes of this section, the  
2416 term "preenrollment" means the provision of marketing and  
2417 educational materials to a Medicaid recipient and assistance in  
2418 completing the application forms, but does ~~shall~~ not include  
2419 actual enrollment into a managed care plan. An application for  
2420 enrollment may ~~shall~~ not be deemed complete until the agency or  
2421 its agent verifies that the recipient made an informed,  
2422 voluntary choice. The agency, in cooperation with the Department  
2423 of Children and Family Services, may test new marketing  
2424 initiatives to inform Medicaid recipients about their managed  
2425 care options at selected sites. ~~The agency shall report to the~~  
2426 ~~Legislature on the effectiveness of such initiatives.~~ The agency  
2427 may contract with a third party to perform managed care plan and  
2428 MediPass enrollment and disenrollment services for Medicaid  
2429 recipients and may ~~is authorized to~~ adopt rules to administer  
2430 ~~implement~~ such services. The agency may adjust the capitation  
2431 rate only to cover the costs of a third-party enrollment and  
2432 disenrollment contract, and for agency supervision and  
2433 management of the managed care plan enrollment and disenrollment  
2434 contract.

2435 (44) The Agency for Health Care Administration shall ensure  
2436 that any Medicaid managed care plan as defined in s.

20101412er

2437 409.9122(2)(f), whether paid on a capitated basis or a shared  
2438 savings basis, is cost-effective. For purposes of this  
2439 subsection, the term "cost-effective" means that a network's  
2440 per-member, per-month costs to the state, including, but not  
2441 limited to, fee-for-service costs, administrative costs, and  
2442 case-management fees, if any, must be no greater than the  
2443 state's costs associated with contracts for Medicaid services  
2444 established under subsection (3), which may be adjusted for  
2445 health status. The agency shall conduct actuarially sound  
2446 adjustments for health status in order to ensure such cost-  
2447 effectiveness and shall annually publish the results on its  
2448 Internet website ~~and submit the results annually to the~~  
2449 ~~Governor, the President of the Senate, and the Speaker of the~~  
2450 ~~House of Representatives no later than December 31 of each year.~~  
2451 Contracts established pursuant to this subsection which are not  
2452 cost-effective may not be renewed.

2453 (49) The agency shall contract with established minority  
2454 physician networks that provide services to historically  
2455 underserved minority patients. The networks must provide cost-  
2456 effective Medicaid services, comply with the requirements to be  
2457 a MediPass provider, and provide their primary care physicians  
2458 with access to data and other management tools necessary to  
2459 assist them in ensuring the appropriate use of services,  
2460 including inpatient hospital services and pharmaceuticals.

2461 (c) For purposes of this subsection, the term "cost-  
2462 effective" means that a network's per-member, per-month costs to  
2463 the state, including, but not limited to, fee-for-service costs,  
2464 administrative costs, and case-management fees, if any, must be  
2465 no greater than the state's costs associated with contracts for

20101412er

2466 Medicaid services established under subsection (3), which shall  
2467 be actuarially adjusted for case mix, model, and service area.  
2468 The agency shall conduct actuarially sound audits adjusted for  
2469 case mix and model in order to ensure such cost-effectiveness  
2470 and shall annually publish the audit results on its Internet  
2471 website ~~and submit the audit results annually to the Governor,~~  
2472 ~~the President of the Senate, and the Speaker of the House of~~  
2473 ~~Representatives no later than December 31.~~ Contracts established  
2474 pursuant to this subsection which are not cost-effective may not  
2475 be renewed.

2476 Section 128. Section 410.0245, Florida Statutes, is  
2477 repealed.

2478 Section 129. Subsection (10) of section 410.604, Florida  
2479 Statutes, is repealed.

2480 Section 130. Paragraph (d) of subsection (5) of section  
2481 411.0102, Florida Statutes, is amended to read:

2482 411.0102 Child Care Executive Partnership Act; findings and  
2483 intent; grant; limitation; rules.-

2484 (5)

2485 (d) Each early learning coalition shall ~~be required to~~  
2486 establish a community child care task force for each child care  
2487 purchasing pool. The task force must be composed of employers,  
2488 parents, private child care providers, and one representative  
2489 from the local children's services council, if one exists in the  
2490 area of the purchasing pool. The early learning coalition is  
2491 expected to recruit the task force members from existing child  
2492 care councils, commissions, or task forces already operating in  
2493 the area of a purchasing pool. A majority of the task force  
2494 shall consist of employers. ~~Each task force shall develop a plan~~

20101412er

2495 ~~for the use of child care purchasing pool funds. The plan must~~  
2496 ~~show how many children will be served by the purchasing pool,~~  
2497 ~~how many will be new to receiving child care services, and how~~  
2498 ~~the early learning coalition intends to attract new employers~~  
2499 ~~and their employees to the program.~~

2500 Section 131. Section 411.221, Florida Statutes, is  
2501 repealed.

2502 Section 132. Section 411.242, Florida Statutes, is  
2503 repealed.

2504 Section 133. Section 414.14, Florida Statutes, is amended  
2505 to read:

2506 414.14 Public assistance policy simplification.—To the  
2507 extent possible, the department shall align the requirements for  
2508 eligibility under this chapter with the food stamp program and  
2509 medical assistance eligibility policies and procedures to  
2510 simplify the budgeting process and reduce errors. If the  
2511 department determines that s. 414.075, relating to resources, or  
2512 s. 414.085, relating to income, is inconsistent with ~~related~~  
2513 ~~provisions of federal law governing which govern~~ the food stamp  
2514 program or medical assistance, and that conformance to federal  
2515 law would simplify administration of the WAGES Program or reduce  
2516 errors without materially increasing the cost of the program to  
2517 the state, the secretary of the department may propose a change  
2518 in the resource or income requirements of the program by rule.  
2519 ~~The secretary shall provide written notice to the President of~~  
2520 ~~the Senate, the Speaker of the House of Representatives, and the~~  
2521 ~~chairpersons of the relevant committees of both houses of the~~  
2522 ~~Legislature summarizing the proposed modifications to be made by~~  
2523 ~~rule and changes necessary to conform state law to federal law.~~

20101412er

2524 ~~The proposed rule shall take effect 14 days after written notice~~  
2525 ~~is given unless the President of the Senate or the Speaker of~~  
2526 ~~the House of Representatives advises the secretary that the~~  
2527 ~~proposed rule exceeds the delegated authority of the~~  
2528 ~~Legislature.~~

2529       Section 134. Subsection (1) of section 414.36, Florida  
2530 Statutes, is repealed.

2531       Section 135. Subsection (3) of section 414.391, Florida  
2532 Statutes, is repealed.

2533       Section 136. Subsection (6) of section 415.1045, Florida  
2534 Statutes, is amended to read:

2535       415.1045 Photographs, videotapes, and medical examinations;  
2536 abrogation of privileged communications; confidential records  
2537 and documents.—

2538       (6) WORKING AGREEMENTS. ~~By March 1, 2004,~~ The department  
2539 shall enter into working agreements with the jurisdictionally  
2540 responsible county sheriff's ~~sheriffs'~~ office or local police  
2541 department that will be the lead agency for ~~when~~ conducting any  
2542 criminal investigation arising from an allegation of abuse,  
2543 neglect, or exploitation of a vulnerable adult. The working  
2544 agreement must specify how the requirements of this chapter will  
2545 be met. ~~The Office of Program Policy Analysis and Government~~  
2546 ~~Accountability shall conduct a review of the efficacy of the~~  
2547 ~~agreements and report its findings to the Legislature by March~~  
2548 ~~1, 2005.~~ For the purposes of such agreement, the  
2549 jurisdictionally responsible law enforcement entity may ~~is~~  
2550 ~~authorized to~~ share Florida criminal history and local criminal  
2551 history information that is not otherwise exempt from s.

2552 119.07(1) with the district personnel. A law enforcement entity

20101412er

2553 entering into such agreement must comply with s. 943.0525.  
2554 Criminal justice information provided by the ~~such~~ law  
2555 enforcement entity may ~~shall~~ be used only for the purposes  
2556 specified in the agreement and shall be provided at no charge.  
2557 Notwithstanding any other provision of law, the Department of  
2558 Law Enforcement shall provide to the department electronic  
2559 access to Florida criminal justice information that ~~which~~ is  
2560 lawfully available and not exempt from s. 119.07(1), only for  
2561 the purpose of protective investigations and emergency  
2562 placement. As a condition of access to the ~~such~~ information, the  
2563 department shall ~~be required to~~ execute an appropriate user  
2564 agreement addressing the access, use, dissemination, and  
2565 destruction of such information and ~~to~~ comply with all  
2566 applicable laws and rules of the Department of Law Enforcement.

2567 Section 137. Subsection (9) of section 420.622, Florida  
2568 Statutes, is amended to read:

2569 420.622 State Office on Homelessness; Council on  
2570 Homelessness.—

2571 (9) The council shall, by June 30 of each year, beginning  
2572 in 2010, provide ~~issue~~ to the Governor, the Legislature  
2573 ~~President of the Senate, the Speaker of the House of~~  
2574 ~~Representatives,~~ and the Secretary of Children and Family  
2575 Services ~~an evaluation of the executive director's performance~~  
2576 ~~in fulfilling the statutory duties of the office,~~ a report  
2577 summarizing the extent of homelessness in the state and the  
2578 ~~council's recommendations to the office and the corresponding~~  
2579 ~~actions taken by the office, and any recommendations to the~~  
2580 Legislature for reducing ~~proposals to reduce~~ homelessness in  
2581 this state.

20101412er

2582           Section 138. Subsection (4) of section 420.623, Florida  
2583 Statutes, is repealed.

2584           Section 139. Subsection (9) of section 427.704, Florida  
2585 Statutes, is amended to read:

2586           427.704 Powers and duties of the commission.—

2587           (9) The commission shall prepare ~~provide to the President~~  
2588 ~~of the Senate and to the Speaker of the House of Representatives~~  
2589 an annual report on the operation of the telecommunications  
2590 access system which shall be available on the commission's  
2591 Internet website. ~~The first report shall be provided no later~~  
2592 ~~than January 1, 1992, and successive reports shall be provided~~  
2593 ~~by January 1 of each year thereafter.~~ Reports must ~~shall~~ be  
2594 prepared in consultation with the administrator and the advisory  
2595 committee appointed pursuant to s. 427.706. The reports must  
2596 ~~shall~~, at a minimum, briefly outline the status of developments  
2597 in ~~of~~ the telecommunications access system, the number of  
2598 persons served, the call volume, revenues and expenditures, the  
2599 allocation of the revenues and expenditures between provision of  
2600 specialized telecommunications devices to individuals and  
2601 operation of statewide relay service, other major policy or  
2602 operational issues, and proposals for improvements or changes to  
2603 the telecommunications access system.

2604           Section 140. Subsection (2) of section 427.706, Florida  
2605 Statutes, is amended to read:

2606           427.706 Advisory committee.—

2607           (2) The advisory committee shall provide the expertise,  
2608 experience, and perspective of persons who are hearing impaired  
2609 or speech impaired to the commission and to the administrator  
2610 during all phases of the development and operation of the

20101412er

2611 telecommunications access system. The advisory committee shall  
2612 advise the commission and the administrator on ~~any matter~~  
2613 ~~relating to~~ the quality and cost-effectiveness of the  
2614 telecommunications relay service and the specialized  
2615 telecommunications devices distribution system. The advisory  
2616 committee may submit material for inclusion in the annual report  
2617 prepared pursuant to s. 427.704 ~~to the President of the Senate~~  
2618 ~~and the Speaker of the House of Representatives.~~

2619 Section 141. Paragraph (b) of subsection (3) of section  
2620 429.07, Florida Statutes, is amended to read:

2621 429.07 License required; fee.—

2622 (3) In addition to the requirements of s. 408.806, each  
2623 license granted by the agency must state the type of care for  
2624 which the license is granted. Licenses shall be issued for one  
2625 or more of the following categories of care: standard, extended  
2626 congregate care, limited nursing services, or limited mental  
2627 health.

2628 (b) An extended congregate care license shall be issued to  
2629 facilities providing, directly or through contract, services  
2630 beyond those authorized in paragraph (a), including services  
2631 performed by persons licensed under acts performed pursuant to  
2632 part I of chapter 464 by persons licensed thereunder, and  
2633 supportive services, as defined by rule, to persons who would  
2634 ~~otherwise would~~ be disqualified from continued residence in a  
2635 facility licensed under this part.

2636 1. In order for extended congregate care services to be  
2637 provided ~~in a facility licensed under this part,~~ the agency must  
2638 first determine that all requirements established in law and  
2639 rule are met and must specifically designate, on the facility's

20101412er

2640 license, that such services may be provided and whether the  
2641 designation applies to all or part of the a facility. Such  
2642 designation may be made at the time of initial licensure or  
2643 relicensure, or upon request in writing by a licensee under this  
2644 part and part II of chapter 408. The notification of approval or  
2645 the denial of the ~~such~~ request shall be made in accordance with  
2646 part II of chapter 408. Existing facilities qualifying to  
2647 provide extended congregate care services must have maintained a  
2648 standard license and may not have been subject to administrative  
2649 sanctions during the previous 2 years, or since initial  
2650 licensure if the facility has been licensed for less than 2  
2651 years, for any of the following reasons:

2652 a. A class I or class II violation;

2653 b. Three or more repeat or recurring class III violations  
2654 of identical or similar resident care standards ~~as specified in~~  
2655 ~~rule~~ from which a pattern of noncompliance is found by the  
2656 agency;

2657 c. Three or more class III violations that were not  
2658 corrected in accordance with the corrective action plan approved  
2659 by the agency;

2660 d. Violation of resident care standards which results in  
2661 requiring the facility ~~resulting in a requirement~~ to employ the  
2662 services of a consultant pharmacist or consultant dietitian;

2663 e. Denial, suspension, or revocation of a license for  
2664 another facility licensed under this part in which the applicant  
2665 for an extended congregate care license has at least 25 percent  
2666 ownership interest; or

2667 f. Imposition of a moratorium pursuant to this part or part  
2668 II of chapter 408 or initiation of injunctive proceedings.

20101412er

2669           2. A facility that is ~~Facilities that are~~ licensed to  
2670 provide extended congregate care services shall maintain a  
2671 written progress report on each person who receives ~~such~~  
2672 services, ~~which report~~ describes the type, amount, duration,  
2673 scope, and outcome of services that are rendered and the general  
2674 status of the resident's health. A registered nurse, or  
2675 appropriate designee, representing the agency shall visit the  
2676 facility ~~such facilities~~ at least quarterly to monitor residents  
2677 who are receiving extended congregate care services and to  
2678 determine if the facility is in compliance with this part, part  
2679 II of chapter 408, and relevant rules ~~that relate to extended~~  
2680 ~~congregate care~~. One of the ~~these~~ visits may be in conjunction  
2681 with the regular survey. The monitoring visits may be provided  
2682 through contractual arrangements with appropriate community  
2683 agencies. A registered nurse shall serve as part of the team  
2684 that inspects the ~~such~~ facility. The agency may waive one of the  
2685 required yearly monitoring visits for a facility that has been  
2686 licensed for at least 24 months to provide extended congregate  
2687 care services, if, during the inspection, the registered nurse  
2688 determines that extended congregate care services are being  
2689 provided appropriately, and if the facility has no class I or  
2690 class II violations and no uncorrected class III violations.  
2691 ~~Before such decision is made,~~ The agency must first ~~shall~~  
2692 consult with the long-term care ombudsman council for the area  
2693 in which the facility is located to determine if any complaints  
2694 have been made and substantiated about the quality of services  
2695 or care. The agency may not waive one of the required yearly  
2696 monitoring visits if complaints have been made and  
2697 substantiated.

20101412er

2698           3. A facility ~~Facilities~~ that is ~~are~~ licensed to provide  
2699 extended congregate care services must ~~shall~~:  
2700           a. Demonstrate the capability to meet unanticipated  
2701 resident service needs.  
2702           b. Offer a physical environment that promotes a homelike  
2703 setting, provides for resident privacy, promotes resident  
2704 independence, and allows sufficient congregate space as defined  
2705 by rule.  
2706           c. Have sufficient staff available, taking into account the  
2707 physical plant and firesafety features of the building, to  
2708 assist with the evacuation of residents in an emergency, ~~as~~  
2709 ~~necessary~~.  
2710           d. Adopt and follow policies and procedures that maximize  
2711 resident independence, dignity, choice, and decisionmaking to  
2712 permit residents to age in place ~~to the extent possible~~, so that  
2713 moves due to changes in functional status are minimized or  
2714 avoided.  
2715           e. Allow residents or, if applicable, a resident's  
2716 representative, designee, surrogate, guardian, or attorney in  
2717 fact to make a variety of personal choices, participate in  
2718 developing service plans, and share responsibility in  
2719 decisionmaking.  
2720           f. Implement the concept of managed risk.  
2721           g. Provide, ~~either~~ directly or through contract, the  
2722 services of a person licensed under ~~pursuant to~~ part I of  
2723 chapter 464.  
2724           h. In addition to the training mandated in s. 429.52,  
2725 provide specialized training as defined by rule for facility  
2726 staff.

20101412er

2727           4. A facility that is ~~Facilities~~ licensed to provide  
2728 extended congregate care services is ~~are~~ exempt from the  
2729 criteria for continued residency ~~as~~ set forth in rules adopted  
2730 under s. 429.41. A licensed facility must ~~Facilities so licensed~~  
2731 ~~shall~~ adopt its ~~their~~ own requirements within guidelines for  
2732 continued residency set forth by rule. However, the facility  
2733 ~~such facilities~~ may not serve residents who require 24-hour  
2734 nursing supervision. A licensed facility that provides  
2735 ~~Facilities licensed to provide~~ extended congregate care services  
2736 must also ~~shall~~ provide each resident with a written copy of  
2737 facility policies governing admission and retention.

2738           5. The primary purpose of extended congregate care services  
2739 is to allow residents, as they become more impaired, the option  
2740 of remaining in a familiar setting from which they would  
2741 otherwise be disqualified for continued residency. A facility  
2742 licensed to provide extended congregate care services may also  
2743 admit an individual who exceeds the admission criteria for a  
2744 facility with a standard license, if the individual is  
2745 determined appropriate for admission to the extended congregate  
2746 care facility.

2747           6. Before the admission of an individual to a facility  
2748 licensed to provide extended congregate care services, the  
2749 individual must undergo a medical examination as provided in s.  
2750 429.26(4) and the facility must develop a preliminary service  
2751 plan for the individual.

2752           7. When a facility can no longer provide or arrange for  
2753 services in accordance with the resident's service plan and  
2754 needs and the facility's policy, the facility shall make  
2755 arrangements for relocating the person in accordance with s.

20101412er

2756 429.28(1)(k).

2757 8. Failure to provide extended congregate care services may  
2758 result in denial of extended congregate care license renewal.

2759 ~~9. No later than January 1 of each year, the department, in~~  
2760 ~~consultation with the agency, shall prepare and submit to the~~  
2761 ~~Governor, the President of the Senate, the Speaker of the House~~  
2762 ~~of Representatives, and the chairs of appropriate legislative~~  
2763 ~~committees, a report on the status of, and recommendations~~  
2764 ~~related to, extended congregate care services. The status report~~  
2765 ~~must include, but need not be limited to, the following~~  
2766 ~~information:~~

2767 ~~a. A description of the facilities licensed to provide such~~  
2768 ~~services, including total number of beds licensed under this~~  
2769 ~~part.~~

2770 ~~b. The number and characteristics of residents receiving~~  
2771 ~~such services.~~

2772 ~~c. The types of services rendered that could not be~~  
2773 ~~provided through a standard license.~~

2774 ~~d. An analysis of deficiencies cited during licensure~~  
2775 ~~inspections.~~

2776 ~~e. The number of residents who required extended congregate~~  
2777 ~~care services at admission and the source of admission.~~

2778 ~~f. Recommendations for statutory or regulatory changes.~~

2779 ~~g. The availability of extended congregate care to state~~  
2780 ~~clients residing in facilities licensed under this part and in~~  
2781 ~~need of additional services, and recommendations for~~  
2782 ~~appropriations to subsidize extended congregate care services~~  
2783 ~~for such persons.~~

2784 ~~h. Such other information as the department considers~~

20101412er

2785 ~~appropriate.~~

2786 Section 142. Subsection (5) of section 429.41, Florida  
2787 Statutes, is amended to read:

2788 429.41 Rules establishing standards.—

2789 (5) The agency may use an abbreviated biennial standard  
2790 licensure inspection that consists of a review of key quality-  
2791 of-care standards in lieu of a full inspection in a facility  
2792 that has ~~facilities which have~~ a good record of past  
2793 performance. However, a full inspection must ~~shall~~ be conducted  
2794 in a facility that has ~~facilities which have had~~ a history of  
2795 class I or class II violations, uncorrected class III  
2796 violations, confirmed ombudsman council complaints, or confirmed  
2797 licensure complaints, within the previous licensure period  
2798 immediately preceding the inspection or if when ~~when~~ a potentially  
2799 serious problem is identified during the abbreviated inspection.  
2800 The agency, in consultation with the department, shall develop  
2801 the key quality-of-care standards with input from the State  
2802 Long-Term Care Ombudsman Council and representatives of provider  
2803 groups for incorporation into its rules. ~~The department, in~~  
2804 ~~consultation with the agency, shall report annually to the~~  
2805 ~~Legislature concerning its implementation of this subsection.~~  
2806 ~~The report shall include, at a minimum, the key quality-of-care~~  
2807 ~~standards which have been developed; the number of facilities~~  
2808 ~~identified as being eligible for the abbreviated inspection; the~~  
2809 ~~number of facilities which have received the abbreviated~~  
2810 ~~inspection and, of those, the number that were converted to full~~  
2811 ~~inspection; the number and type of subsequent complaints~~  
2812 ~~received by the agency or department on facilities which have~~  
2813 ~~had abbreviated inspections; any recommendations for~~

20101412er

2814 ~~modification to this subsection; any plans by the agency to~~  
2815 ~~modify its implementation of this subsection; and any other~~  
2816 ~~information which the department believes should be reported.~~

2817 Section 143. Subsections (3) through (17) of section  
2818 430.04, Florida Statutes, are amended to read:

2819 430.04 Duties and responsibilities of the Department of  
2820 Elderly Affairs.—The Department of Elderly Affairs shall:

2821 ~~(3) Prepare and submit to the Governor, each Cabinet~~  
2822 ~~member, the President of the Senate, the Speaker of the House of~~  
2823 ~~Representatives, the minority leaders of the House and Senate,~~  
2824 ~~and chairpersons of appropriate House and Senate committees a~~  
2825 ~~master plan for policies and programs in the state related to~~  
2826 ~~aging. The plan must identify and assess the needs of the~~  
2827 ~~elderly population in the areas of housing, employment,~~  
2828 ~~education and training, medical care, long-term care, preventive~~  
2829 ~~care, protective services, social services, mental health,~~  
2830 ~~transportation, and long term care insurance, and other areas~~  
2831 ~~considered appropriate by the department. The plan must assess~~  
2832 ~~the needs of particular subgroups of the population and evaluate~~  
2833 ~~the capacity of existing programs, both public and private and~~  
2834 ~~in state and local agencies, to respond effectively to~~  
2835 ~~identified needs. If the plan recommends the transfer of any~~  
2836 ~~program or service from the Department of Children and Family~~  
2837 ~~Services to another state department, the plan must also include~~  
2838 ~~recommendations that provide for an independent third party~~  
2839 ~~mechanism, as currently exists in the Florida advocacy councils~~  
2840 ~~established in ss. 402.165 and 402.166, for protecting the~~  
2841 ~~constitutional and human rights of recipients of departmental~~  
2842 ~~services. The plan must include policy goals and program~~

20101412er

2843 ~~strategies designed to respond efficiently to current and~~  
2844 ~~projected needs. The plan must also include policy goals and~~  
2845 ~~program strategies to promote intergenerational relationships~~  
2846 ~~and activities. Public hearings and other appropriate processes~~  
2847 ~~shall be utilized by the department to solicit input for the~~  
2848 ~~development and updating of the master plan from parties~~  
2849 ~~including, but not limited to, the following:~~

- 2850 ~~(a) Elderly citizens and their families and caregivers.~~
- 2851 ~~(b) Local-level public and private service providers,~~  
2852 ~~advocacy organizations, and other organizations relating to the~~  
2853 ~~elderly.~~
- 2854 ~~(c) Local governments.~~
- 2855 ~~(d) All state agencies that provide services to the~~  
2856 ~~elderly.~~
- 2857 ~~(e) University centers on aging.~~
- 2858 ~~(f) Area agency on aging and community care for the elderly~~  
2859 ~~lead agencies.~~

2860 ~~(3)~~(4) Serve as an information clearinghouse at the state  
2861 level, and assist local-level information and referral resources  
2862 as a repository and means for the dissemination of information  
2863 regarding all federal, state, and local resources for assistance  
2864 to the elderly in the areas of, but not limited to, health,  
2865 social welfare, long-term care, protective services, consumer  
2866 protection, education and training, housing, employment,  
2867 recreation, transportation, insurance, and retirement.

2868 ~~(4)~~(5) Recommend guidelines for the development of roles  
2869 for state agencies that provide services for the aging, review  
2870 plans of agencies that provide such services, and relay the  
2871 ~~these~~ plans to the Governor and the Legislature, ~~each Cabinet~~

20101412er

2872 ~~member, the President of the Senate, the Speaker of the House of~~  
2873 ~~Representatives, the minority leaders of the House and Senate,~~  
2874 ~~and chairpersons of appropriate House and Senate committees.~~

2875 (5)~~(6)~~ Recommend to the Governor and the Legislature, ~~each~~  
2876 ~~Cabinet member, the President of the Senate, the Speaker of the~~  
2877 ~~House of Representatives, the minority leaders of the House and~~  
2878 ~~Senate, and chairpersons of appropriate House and Senate~~  
2879 ~~committees~~ an organizational framework for the planning,  
2880 coordination, implementation, and evaluation of programs related  
2881 to aging, with the purpose of expanding and improving programs  
2882 and opportunities available to the state's elderly population  
2883 and enhancing a continuum of long-term care. This framework must  
2884 ensure ~~assure~~ that:

2885 (a) Performance objectives are established.

2886 (b) Program reviews are conducted statewide.

2887 (c) Each major program related to aging is reviewed every 3  
2888 years.

2889 ~~(d) Agency budget requests reflect the results and~~  
2890 ~~recommendations of such program reviews.~~

2891 (d)~~(e)~~ Program decisions reinforce ~~lead to~~ the distinctive  
2892 roles established for state agencies that provide aging  
2893 services.

2894 (6)~~(7)~~ Advise the Governor and the Legislature, ~~each~~  
2895 ~~Cabinet member, the President of the Senate, the Speaker of the~~  
2896 ~~House of Representatives, the minority leaders of the House and~~  
2897 ~~Senate, and the chairpersons of appropriate House and Senate~~  
2898 ~~committees~~ regarding the need for and location of programs  
2899 related to aging.

2900 (7)~~(8)~~ Review and coordinate aging research plans of all

20101412er

2901 state agencies to ensure that ~~the conformance of~~ research  
2902 objectives address ~~to~~ issues and needs of the state's elderly  
2903 population ~~addressed in the master plan for policies and~~  
2904 ~~programs related to aging.~~ The research activities that must be  
2905 reviewed and coordinated by the department include, but are not  
2906 limited to, contracts with academic institutions, development of  
2907 educational and training curriculums, Alzheimer's disease and  
2908 other medical research, studies of long-term care and other  
2909 personal assistance needs, and design of adaptive or modified  
2910 living environments.

2911 ~~(8)-(9)~~ Review budget requests for programs related to aging  
2912 to ensure the most cost-effective use of state funding for the  
2913 state's elderly population ~~for compliance with the master plan~~  
2914 ~~for policies and programs related to aging~~ before submission to  
2915 the Governor and the Legislature.

2916 ~~(10)~~ Update the master plan for policies and programs  
2917 ~~related to aging every 3 years.~~

2918 ~~(11)~~ Review implementation of the master plan for programs  
2919 and policies related to aging and annually report to the  
2920 Governor, each Cabinet member, the President of the Senate, the  
2921 Speaker of the House of Representatives, the minority leaders of  
2922 the House and Senate, and the chairpersons of appropriate House  
2923 and Senate committees the progress towards implementation of the  
2924 plan.

2925 ~~(9)-(12)~~ Request other departments that administer programs  
2926 affecting the state's elderly population to amend their plans,  
2927 rules, policies, and research objectives as necessary to ensure  
2928 that programs and other initiatives are coordinated and maximize  
2929 the state's efforts to address the needs of the elderly ~~conform~~

20101412er

2930 ~~with the master plan for policies and programs related to aging.~~

2931 (10)~~(13)~~ Hold public meetings regularly throughout the  
2932 state to receive ~~for purposes of receiving~~ information and  
2933 maximize ~~maximizing~~ the visibility of important issues relating  
2934 to aging and the elderly.

2935 (11)~~(14)~~ Conduct policy analysis and program evaluation  
2936 studies assigned by the Legislature.

2937 (12)~~(15)~~ Assist the Governor, each Cabinet member, and  
2938 members of the Legislature ~~the President of the Senate, the~~  
2939 ~~Speaker of the House of Representatives, the minority leaders of~~  
2940 ~~the House and Senate, and the chairpersons of appropriate House~~  
2941 ~~and Senate committees~~ in conducting ~~the conduct~~ of their  
2942 responsibilities ~~in such capacities~~ as they consider  
2943 appropriate.

2944 (13)~~(16)~~ Call upon appropriate agencies of state government  
2945 for such assistance as is needed in the discharge of its duties.  
2946 All agencies shall cooperate in assisting the department in  
2947 carrying out its responsibilities as prescribed by this section.  
2948 However, the ~~no provision of law regarding with respect to~~  
2949 confidentiality of information may not be violated.

2950 (14)~~(17)~~ Be designated as a state agency that is eligible  
2951 to receive federal funds for adults who are eligible for  
2952 assistance through the portion of the federal Child and Adult  
2953 Care Food Program for adults, which is referred to as the Adult  
2954 Care Food Program, and that is responsible for establishing and  
2955 administering the program. The purpose of the Adult Care Food  
2956 Program is to provide nutritious and wholesome meals and snacks  
2957 for adults in nonresidential day care centers or residential  
2958 treatment facilities. To ensure the quality and integrity of the

20101412er

2959 program, the department shall develop standards and procedures  
2960 that govern sponsoring organizations and adult day care centers.  
2961 The department shall follow federal requirements and may adopt  
2962 ~~any~~ rules necessary to administer ~~pursuant to ss. 120.536(1) and~~  
2963 ~~120.54 for the implementation of the Adult Care Food program~~  
2964 ~~and. With respect to the Adult Care Food Program, the department~~  
2965 ~~shall adopt rules pursuant to ss. 120.536(1) and 120.54 that~~  
2966 implement relevant federal regulations, including 7 C.F.R. part  
2967 226. The rules may address, at a minimum, the program  
2968 requirements and procedures identified in this subsection.

2969 Section 144. Subsections (3) and (8) of section 430.502,  
2970 Florida Statutes, are amended to read:

2971 430.502 Alzheimer's disease; memory disorder clinics and  
2972 day care and respite care programs.—

2973 (3) The Alzheimer's Disease Advisory Committee shall ~~must~~  
2974 evaluate and make recommendations to the department and the  
2975 Legislature concerning the need for additional memory disorder  
2976 clinics in the state. ~~The first report will be due by December~~  
2977 ~~31, 1995.~~

2978 (8) The department shall ~~will~~ implement the waiver program  
2979 specified in subsection (7). The agency and the department shall  
2980 ensure that providers who ~~are selected that~~ have a history of  
2981 successfully serving persons with Alzheimer's disease are  
2982 selected. The department and the agency shall develop  
2983 specialized standards for providers and services tailored to  
2984 persons in the early, middle, and late stages of Alzheimer's  
2985 disease and designate a level of care determination process and  
2986 standard that is most appropriate to this population. The  
2987 department and the agency shall include in the waiver services

20101412er

2988 designed to assist the caregiver in continuing to provide in-  
2989 home care. The department shall implement this waiver program  
2990 subject to a specific appropriation or as provided in the  
2991 General Appropriations Act. ~~The department and the agency shall~~  
2992 ~~submit their program design to the President of the Senate and~~  
2993 ~~the Speaker of the House of Representatives for consultation~~  
2994 ~~during the development process.~~

2995 Section 145. Subsection (1) and paragraph (a) of subsection  
2996 (6) of section 445.006, Florida Statutes, are amended to read:

2997 445.006 Strategic and operational plans for workforce  
2998 development.-

2999 (1) Workforce Florida, Inc., in conjunction with state and  
3000 local partners in the workforce system, shall develop a  
3001 strategic plan that produces ~~for workforce, with the goal of~~  
3002 ~~producing~~ skilled employees for employers in the state. ~~The~~  
3003 ~~strategic plan shall be submitted to the Governor, the President~~  
3004 ~~of the Senate, and the Speaker of the House of Representatives~~  
3005 ~~by February 1, 2001.~~ The strategic plan shall be updated or  
3006 modified by January 1 of each year ~~thereafter~~. The plan must  
3007 include, but need not be limited to, strategies for:

3008 (a) Fulfilling the workforce system goals and strategies  
3009 prescribed in s. 445.004;

3010 (b) Aggregating, integrating, and leveraging workforce  
3011 system resources;

3012 (c) Coordinating the activities of federal, state, and  
3013 local workforce system partners;

3014 (d) Addressing the workforce needs of small businesses; and

3015 (e) Fostering the participation of rural communities and  
3016 distressed urban cores in the workforce system.

20101412er

3017 (6) (a) The operational plan must include strategies that  
3018 are designed to prevent or reduce the need for a person to  
3019 receive public assistance. The ~~These~~ strategies must include:

3020 1. A teen pregnancy prevention component that includes, but  
3021 is not limited to, a plan for implementing the ~~Florida Education~~  
3022 ~~New and Babies Later (ENABL) program under s. 411.242 and the~~  
3023 Teen Pregnancy Prevention Community Initiative within each  
3024 county of the services area in which the teen birth rate is  
3025 higher than the state average;

3026 2. A component that encourages creation of community-based  
3027 welfare prevention and reduction initiatives that increase  
3028 support provided by noncustodial parents to their welfare-  
3029 dependent children and are consistent with program and financial  
3030 guidelines developed by Workforce Florida, Inc., and the  
3031 Commission on Responsible Fatherhood. These initiatives may  
3032 include, ~~but are not limited to,~~ improved paternity  
3033 establishment, work activities for noncustodial parents,  
3034 programs aimed at decreasing out-of-wedlock pregnancies,  
3035 encouraging involvement of fathers with their children which  
3036 includes ~~including~~ court-ordered supervised visitation, and  
3037 increasing child support payments;

3038 3. A component that encourages formation and maintenance of  
3039 two-parent families through, among other things, court-ordered  
3040 supervised visitation;

3041 4. A component that fosters responsible fatherhood in  
3042 families receiving assistance; and

3043 5. A component that fosters the provision of services that  
3044 reduce the incidence and effects of domestic violence on women  
3045 and children in families receiving assistance.

20101412er

3046           Section 146. Subsection (8) of section 455.2226, Florida  
3047 Statutes, is repealed.

3048           Section 147. Subsection (6) of section 455.2228, Florida  
3049 Statutes, is repealed.

3050           Section 148. Section 456.005, Florida Statutes, is amended  
3051 to read:

3052           456.005 Long-range policy planning; ~~plans, reports, and~~  
3053 ~~recommendations.~~-To facilitate efficient and cost-effective  
3054 regulation, the department and the board, if where appropriate,  
3055 shall develop and implement a long-range policy planning and  
3056 monitoring process that includes ~~to include~~ recommendations  
3057 specific to each profession. The ~~Such~~ process shall include  
3058 estimates of revenues, expenditures, cash balances, and  
3059 performance statistics for each profession. The period covered  
3060 may ~~shall~~ not be less than 5 years. The department, with input  
3061 from the boards and licensees, shall develop and adopt the long-  
3062 range plan ~~and must obtain the approval of the State Surgeon~~  
3063 ~~General~~. The department shall monitor compliance with the  
3064 ~~approved long-range~~ plan and, with input from the boards and  
3065 licensees, shall annually update the plans ~~for approval by the~~  
3066 ~~State Surgeon General~~. The department shall provide concise  
3067 management reports to the boards quarterly. As part of the  
3068 review process, the department shall evaluate:

3069           (1) Whether the department, including the boards and the  
3070 various functions performed by the department, is operating  
3071 efficiently and effectively and if there is a need for a board  
3072 or council to assist in cost-effective regulation.

3073           (2) How and why the various professions are regulated.

3074           (3) Whether there is a need to continue regulation, and to

20101412er

3075 what degree.

3076 (4) Whether or not consumer protection is adequate, and how  
3077 it can be improved.

3078 (5) Whether there is consistency between the various  
3079 practice acts.

3080 (6) Whether unlicensed activity is adequately enforced.

3081

3082 ~~The~~ Such plans shall ~~should~~ include conclusions and  
3083 recommendations on these and other issues as appropriate. ~~Such~~  
3084 ~~plans shall be provided to the Governor and the Legislature by~~  
3085 ~~November 1 of each year.~~

3086 Section 149. Subsection (9) of section 456.025, Florida  
3087 Statutes, is amended to read:

3088 456.025 Fees; receipts; disposition.—

3089 (9) The department shall provide a ~~condensed~~ management  
3090 report of revenues and expenditures ~~budgets, finances,~~  
3091 performance measures ~~statistics,~~ and recommendations to each  
3092 board at least once a quarter. ~~The department shall identify and~~  
3093 ~~include in such presentations any changes, or projected changes,~~  
3094 ~~made to the board's budget since the last presentation.~~

3095 Section 150. Subsection (6) of section 456.034, Florida  
3096 Statutes, is repealed.

3097 Section 151. Subsections (3) and (4) of section 517.302,  
3098 Florida Statutes, are amended to read:

3099 517.302 Criminal penalties; alternative fine; Anti-Fraud  
3100 Trust Fund; time limitation for criminal prosecution.—

3101 (3) In lieu of a fine otherwise authorized by law, a person  
3102 who has been convicted of or who has pleaded guilty or no  
3103 contest to having engaged in conduct in violation of ~~the~~

20101412er

3104 ~~provisions of~~ this chapter may be sentenced to pay a fine that  
3105 does not exceed the greater of three times the gross value  
3106 gained or three times the gross loss caused by such conduct,  
3107 plus court costs and the costs of investigation and prosecution  
3108 reasonably incurred.

3109 (4) ~~(a)~~ There is created within the office a trust fund to  
3110 be known as the Anti-Fraud Trust Fund. Any amounts assessed as  
3111 costs of investigation and prosecution under this subsection  
3112 shall be deposited in the trust fund. Funds deposited in the  
3113 ~~such~~ trust fund must ~~shall~~ be used, when authorized by  
3114 appropriation, for investigation and prosecution of  
3115 administrative, civil, and criminal actions arising under ~~the~~  
3116 ~~provisions of~~ this chapter. Funds may also be used to improve  
3117 the public's awareness and understanding of prudent investing.

3118 ~~(b) The office shall report to the Executive Office of the~~  
3119 ~~Governor annually by November 15, the amounts deposited into the~~  
3120 ~~Anti-Fraud Trust Fund during the previous fiscal year. The~~  
3121 ~~Executive Office of the Governor shall distribute these reports~~  
3122 ~~to the President of the Senate and the Speaker of the House of~~  
3123 ~~Representatives.~~

3124 (5) ~~(4)~~ Criminal prosecution for offenses under this chapter  
3125 is subject to the time limitations in ~~of~~ s. 775.15.

3126 Section 152. Subsection (3) of section 531.415, Florida  
3127 Statutes, is repealed.

3128 Section 153. Subsection (3) of section 570.0705, Florida  
3129 Statutes, is repealed.

3130 Section 154. Subsection (5) of section 570.0725, Florida  
3131 Statutes, is amended to read:

3132 570.0725 Food recovery; legislative intent; department

20101412er

3133 functions.—

3134 (5) The department shall account for the direct and  
3135 indirect costs associated with supporting food recovery programs  
3136 throughout the state. It shall submit an electronic a report to  
3137 the President of the Senate and the Speaker of the House of  
3138 Representatives by November 1, for the previous fiscal year,  
3139 when state funds are spent for this purpose. The report must  
3140 include, but need not be limited to, the identity of  
3141 organizations receiving funds, the amount of funds disbursed to  
3142 these organizations, other uses of food recovery funds, and  
3143 estimates of the amount of fresh produce recovered.

3144 Section 155. Subsection (3) of section 570.543, Florida  
3145 Statutes, is repealed.

3146 Section 156. Section 590.33, Florida Statutes, is amended  
3147 to read:

3148 590.33 State compact administrator; compact advisory  
3149 committee.—In pursuance of art. III of the compact, the director  
3150 of the division shall act as compact administrator for Florida  
3151 of the Southeastern Interstate Forest Fire Protection Compact  
3152 during his or her term of office as director, and his or her  
3153 successor as compact administrator shall be his or her successor  
3154 as director of the division. As compact administrator he or she  
3155 shall be an ex officio member of the advisory committee of the  
3156 Southeastern Interstate Forest Fire Protection Compact, and  
3157 chair ex officio of the Florida members of the advisory  
3158 committee. There shall be four members of the Southeastern  
3159 Interstate Forest Fire Protection Compact Advisory Committee  
3160 from Florida. Two of the members from Florida shall be members  
3161 of the Legislature of Florida, one from the Senate and one from

20101412er

3162 the House of Representatives, ~~designated by the Florida~~  
3163 ~~Commission on Interstate Cooperation,~~ and the terms of any such  
3164 members shall terminate at the time they cease to hold  
3165 legislative office, and their successors as members shall be  
3166 named in like manner. The Governor shall appoint the other two  
3167 members from Florida, one of whom shall be associated with  
3168 forestry or forest products industries. The terms of such  
3169 members shall be 3 years and such members shall hold office  
3170 until their respective successors shall be appointed and  
3171 qualified. Vacancies occurring in the office of such members  
3172 from any reason or cause shall be filled by appointment by the  
3173 Governor for the unexpired term. The director of the division as  
3174 compact administrator for Florida may delegate, from time to  
3175 time, to any deputy or other subordinate in his or her  
3176 department or office, the power to be present and participate,  
3177 including voting as his or her representative or substitute at  
3178 any meeting of or hearing by or other proceeding of the compact  
3179 administrators or of the advisory committee. The terms of each  
3180 of the initial four memberships, whether appointed at said time  
3181 or not, shall begin upon the date upon which the compact shall  
3182 become effective in accordance with art. II of said compact. Any  
3183 member of the advisory committee may be removed from office by  
3184 the Governor upon charges and after a hearing.

3185 Section 157. Section 603.204, Florida Statutes, is amended  
3186 to read:

3187 603.204 South Florida Tropical Fruit Plan.—

3188 ~~(1)~~ The Commissioner of Agriculture, in consultation with  
3189 the Tropical Fruit Advisory Council, shall develop and update,  
3190 ~~at least 90 days prior to the 1991 legislative session, submit~~

20101412er

3191 ~~to the President of the Senate, the Speaker of the House of~~  
3192 ~~Representatives, and the chairs of appropriate Senate and House~~  
3193 ~~of Representatives committees,~~ a South Florida Tropical Fruit  
3194 Plan, which shall identify problems and constraints of the  
3195 tropical fruit industry, propose possible solutions to such  
3196 problems, and develop planning mechanisms for orderly growth of  
3197 the industry, including:

3198 (1) ~~(a)~~ Criteria for tropical fruit research, service, and  
3199 management priorities.

3200 (2) ~~(b)~~ ~~Additional~~ Proposed legislation that ~~which~~ may be  
3201 required.

3202 (3) ~~(c)~~ Plans relating to other tropical fruit programs and  
3203 related disciplines in the State University System.

3204 (4) ~~(d)~~ Potential tropical fruit products in terms of market  
3205 and needs for development.

3206 (5) ~~(e)~~ Evaluation of production and fresh fruit policy  
3207 alternatives, including, but not limited to, setting minimum  
3208 grades and standards, promotion and advertising, development of  
3209 production and marketing strategies, and setting minimum  
3210 standards on types and quality of nursery plants.

3211 (6) ~~(f)~~ Evaluation of policy alternatives for processed  
3212 tropical fruit products, including, but not limited to, setting  
3213 minimum quality standards and development of production and  
3214 marketing strategies.

3215 (7) ~~(g)~~ Research and service priorities for further  
3216 development of the tropical fruit industry.

3217 (8) ~~(h)~~ Identification of state agencies and public and  
3218 private institutions concerned with research, education,  
3219 extension, services, planning, promotion, and marketing

20101412er

3220 functions related to tropical fruit development, and delineation  
3221 of contributions and responsibilities. The recommendations in  
3222 the ~~South Florida Tropical Fruit~~ plan relating to education or  
3223 research shall be submitted to the Institute of Food and  
3224 Agricultural Sciences. ~~The recommendations relating to~~  
3225 ~~regulation or marketing shall be submitted to the Department of~~  
3226 ~~Agriculture and Consumer Services.~~

3227 (9) ~~(i)~~ Business planning, investment potential, financial  
3228 risks, and economics of production and use utilization.

3229 ~~(2) A revision and update of the South Florida Tropical~~  
3230 ~~Fruit Plan shall be submitted biennially, and a progress report~~  
3231 ~~and budget request shall be submitted annually, to the officials~~  
3232 ~~specified in subsection (1).~~

3233 Section 158. Subsection (6) of section 627.64872, Florida  
3234 Statutes, is amended to read:

3235 627.64872 Florida Health Insurance Plan.—

3236 (6) ~~INTERIM REPORT;~~ ANNUAL REPORT.—

3237 ~~(a) By no later than December 1, 2004, the board shall~~  
3238 ~~report to the Governor, the President of the Senate, and the~~  
3239 ~~Speaker of the House of Representatives the results of an~~  
3240 ~~actuarial study conducted by the board to determine, including,~~  
3241 ~~but not limited to:~~

3242 ~~1. The impact the creation of the plan will have on the~~  
3243 ~~small group insurance market and the individual market on~~  
3244 ~~premiums paid by insureds. This shall include an estimate of the~~  
3245 ~~total anticipated aggregate savings for all small employers in~~  
3246 ~~the state.~~

3247 ~~2. The number of individuals the pool could reasonably~~  
3248 ~~cover at various funding levels, specifically, the number of~~

20101412er

3249 ~~people the pool may cover at each of those funding levels.~~

3250 ~~3. A recommendation as to the best source of funding for~~  
3251 ~~the anticipated deficits of the pool.~~

3252 ~~4. The effect on the individual and small group market by~~  
3253 ~~including in the Florida Health Insurance Plan persons eligible~~  
3254 ~~for coverage under s. 627.6487, as well as the cost of including~~  
3255 ~~these individuals.~~

3256  
3257 ~~The board shall take no action to implement the Florida Health~~  
3258 ~~Insurance Plan, other than the completion of the actuarial study~~  
3259 ~~authorized in this paragraph, until funds are appropriated for~~  
3260 ~~startup cost and any projected deficits.~~

3261 ~~(b) No later than December 1, 2005, and annually~~  
3262 ~~thereafter, The board shall annually submit to the Governor, the~~  
3263 ~~President of the Senate, and the Speaker of the House of~~  
3264 ~~Representatives, and the substantive legislative committees of~~  
3265 ~~the Legislature a report that ~~which~~ includes an independent~~  
3266 ~~actuarial study to determine, without limitation, the following~~  
3267 ~~including, but not be limited to:~~

3268 ~~(a)1. The effect ~~impact~~ the creation of the plan has on the~~  
3269 ~~small group and individual insurance market, specifically on the~~  
3270 ~~premiums paid by insureds, including. This shall include an~~  
3271 ~~estimate of the total anticipated aggregate savings for all~~  
3272 ~~small employers in the state.~~

3273 ~~(b)2. The actual number of individuals covered at the~~  
3274 ~~current funding and benefit level, the projected number of~~  
3275 ~~individuals that may seek coverage in the forthcoming fiscal~~  
3276 ~~year, and the projected funding needed to cover anticipated~~  
3277 ~~increase or decrease in plan participation.~~

20101412er

3278           ~~(c)3.~~ A recommendation as to the best source of funding for  
3279 the anticipated deficits of the pool.

3280           ~~(d)4.~~ A summary ~~summarization~~ of the activities of the plan  
3281 in the preceding calendar year, including the net written and  
3282 earned premiums, plan enrollment, the expense of administration,  
3283 and the paid and incurred losses.

3284           ~~(e)5.~~ A review of the operation of the plan as to whether  
3285 the plan has met the intent of this section.

3286

3287 The board may not implement the Florida Health Insurance Plan  
3288 until funds are appropriated for startup costs and any projected  
3289 deficits; however, the board may complete the actuarial study  
3290 authorized in this subsection.

3291           Section 159. Subsections (5) and (7) of section 744.708,  
3292 Florida Statutes, are amended to read:

3293           744.708 Reports and standards.—

3294           (5) (a) Each office of public guardian shall undergo an  
3295 independent audit by a qualified certified public accountant at  
3296 least once every 2 years. A copy of the audit report shall be  
3297 submitted to the Statewide Public Guardianship Office.

3298           (b) In addition to regular monitoring activities, the  
3299 Statewide Public Guardianship Office shall conduct an  
3300 investigation into the practices of each office of public  
3301 guardian related to the managing of each ward's personal affairs  
3302 and property. ~~If~~ When feasible, the investigation ~~required under~~  
3303 ~~this paragraph~~ shall be conducted in conjunction with the  
3304 financial audit of each office of public guardian under  
3305 paragraph (a).

3306           ~~(c) In addition, each office of public guardian shall be~~

20101412er

3307 ~~subject to audits or examinations by the Auditor General and the~~  
3308 ~~Office of Program Policy Analysis and Government Accountability~~  
3309 ~~pursuant to law.~~

3310 (7) The ratio for professional staff to wards shall be 1  
3311 professional to 40 wards. The Statewide Public Guardianship  
3312 Office may increase or decrease the ratio after consultation  
3313 with the local public guardian and the chief judge of the  
3314 circuit court. The basis for ~~of~~ the decision to increase or  
3315 decrease the prescribed ratio must ~~shall~~ be included ~~reported~~ in  
3316 the annual report to the secretary ~~of Elderly Affairs, the~~  
3317 ~~Governor, the President of the Senate, the Speaker of the House~~  
3318 ~~of Representatives, and the Chief Justice of the Supreme Court.~~

3319 Section 160. Subsection (8) of section 790.22, Florida  
3320 Statutes, is amended to read:

3321 790.22 Use of BB guns, air or gas-operated guns, or  
3322 electric weapons or devices by minor under 16; limitation;  
3323 possession of firearms by minor under 18 prohibited; penalties.-

3324 (8) Notwithstanding s. 985.24 or s. 985.25(1), if a minor  
3325 ~~under 18 years of age~~ is charged with an offense that involves  
3326 the use or possession of a firearm, ~~as defined in s. 790.001,~~  
3327 including a violation of subsection (3), or is charged for any  
3328 offense during the commission of which the minor possessed a  
3329 firearm, the minor shall be detained in secure detention, unless  
3330 the state attorney authorizes the release of the minor, and  
3331 shall be given a hearing within 24 hours after being taken into  
3332 custody. At the hearing, the court may order that the minor  
3333 continue to be held in secure detention in accordance with the  
3334 applicable time periods specified in s. 985.26(1)-(5), if the  
3335 court finds that the minor meets the criteria specified in s.

20101412er

3336 985.255, or if the court finds by clear and convincing evidence  
3337 that the minor is a clear and present danger to himself or  
3338 herself or the community. The Department of Juvenile Justice  
3339 shall prepare a form for all minors charged under this  
3340 subsection which ~~that~~ states the period of detention and the  
3341 relevant demographic information, including, but not limited to,  
3342 the gender ~~sex~~, age, and race of the minor; whether or not the  
3343 minor was represented by private counsel or a public defender;  
3344 the current offense; and the minor's complete prior record,  
3345 including any pending cases. The form shall be provided to the  
3346 judge for ~~to be considered when~~ determining whether the minor  
3347 should be continued in secure detention under this subsection.  
3348 An order placing a minor in secure detention because the minor  
3349 is a clear and present danger to himself or herself or the  
3350 community must be in writing, must specify the need for  
3351 detention and the benefits derived by the minor or the community  
3352 by placing the minor in secure detention, and must include a  
3353 copy of the form provided by the department. ~~The Department of~~  
3354 ~~Juvenile Justice must send the form, including a copy of any~~  
3355 ~~order, without client-identifying information, to the Office of~~  
3356 ~~Economic and Demographic Research.~~

3357 Section 161. Section 943.125, Florida Statutes, is amended  
3358 to read:

3359 943.125 Law enforcement agency accreditation; intent.—

3360 ~~(1) LEGISLATIVE INTENT.—~~

3361 (1)(a) It is the intent of the Legislature that law  
3362 enforcement agencies in the state be upgraded and strengthened  
3363 through the adoption of meaningful standards of operation for  
3364 those agencies.

20101412er

3365            (2)~~(b)~~ It is the further intent of the Legislature that law  
3366 enforcement agencies voluntarily adopt standards designed to  
3367 promote equal and fair law enforcement, to maximize the  
3368 capability of law enforcement agencies to prevent and control  
3369 criminal activities, and to increase interagency cooperation  
3370 throughout the state.

3371            (3)~~(e)~~ It is further the intent of the Legislature to  
3372 encourage the Florida Sheriffs Association and the Florida  
3373 Police Chiefs Association to develop, either jointly or  
3374 separately, a law enforcement agency accreditation program. The  
3375 ~~Such~~ program must ~~shall~~ be independent of any law enforcement  
3376 agency, the Florida Sheriffs Association, or the Florida Police  
3377 Chiefs Association. The ~~Any such law enforcement agency~~  
3378 accreditation program must ~~should~~ address, at a minimum, the  
3379 following aspects of law enforcement:

3380            (a)~~1.~~ Vehicle pursuits.

3381            (b)~~2.~~ Seizure and forfeiture of contraband articles.

3382            (c)~~3.~~ Recording and processing citizens' complaints.

3383            (d)~~4.~~ Use of force.

3384            (e)~~5.~~ Traffic stops.

3385            (f)~~6.~~ Handling natural and manmade disasters.

3386            (g)~~7.~~ Special operations.

3387            (h)~~8.~~ Prisoner transfer.

3388            (i)~~9.~~ Collection and preservation of evidence.

3389            (j)~~10.~~ Recruitment and selection.

3390            (k)~~11.~~ Officer training.

3391            (l)~~12.~~ Performance evaluations.

3392            (m)~~13.~~ Law enforcement disciplinary procedures and rights.

3393            (n)~~14.~~ Use of criminal investigative funds.

20101412er

3394           ~~(2) FEASIBILITY AND STATUS REPORT. The Florida Sheriffs~~  
3395 ~~Association and the Florida Police Chiefs Association, either~~  
3396 ~~jointly or separately, shall report to the Speaker of the House~~  
3397 ~~of Representatives and the President of the Senate regarding the~~  
3398 ~~feasibility of a law enforcement agency accreditation program~~  
3399 ~~and the status of the efforts of the Florida Sheriffs~~  
3400 ~~Association and the Florida Police Chiefs Association to develop~~  
3401 ~~a law enforcement agency accreditation program as provided in~~  
3402 ~~this section.~~

3403           Section 162. Subsection (9) of section 943.68, Florida  
3404 Statutes, is amended to read:

3405           943.68 Transportation and protective services.—

3406           (9) The department shall submit a report each July 15 to  
3407 ~~the President of the Senate, Speaker of the House of~~  
3408 ~~Representatives, Governor, the Legislature, and members of the~~  
3409 ~~Cabinet, detailing all transportation and protective services~~  
3410 ~~provided under subsections (1), (5), and (6) within the~~  
3411 ~~preceding fiscal year. Each report shall include a detailed~~  
3412 ~~accounting of the cost of such transportation and protective~~  
3413 ~~services, including the names of persons provided such services~~  
3414 ~~and the nature of state business performed.~~

3415           Section 163. Paragraph (f) of subsection (3) of section  
3416 944.801, Florida Statutes, is amended to read:

3417           944.801 Education for state prisoners.—

3418           (3) The responsibilities of the Correctional Education  
3419 Program shall be to:

3420           (f) Report annual activities to the Secretary of  
3421 ~~Corrections, the Commissioner of Education, the Governor, and~~  
3422 ~~the Legislature.~~

20101412er

3423           Section 164. Subsection (10) of section 945.35, Florida  
3424 Statutes, is repealed.

3425           Section 165. Subsection (9) of section 958.045, Florida  
3426 Statutes, is repealed.

3427           Section 166. Paragraph (c) of subsection (1) of section  
3428 960.045, Florida Statutes, is amended to read:

3429           960.045 Department of Legal Affairs; powers and duties.—It  
3430 shall be the duty of the department to assist persons who are  
3431 victims of crime.

3432           (1) The department shall:

3433           (c) Prepare an annual Report, prior to January 1 of each  
3434 year, to the presiding officers of the Senate and House of  
3435 Representatives a written report of the activities of the Crime  
3436 Victims' Services Office, which shall be available on the  
3437 department's Internet website.

3438           Section 167. Paragraph (c) of subsection (8) of section  
3439 985.02, Florida Statutes, is repealed.

3440           Section 168. Subsections (3), (4), and (5) of section  
3441 985.047, Florida Statutes, are amended to read:

3442           985.047 Information systems.—

3443           ~~(3) In order to assist in the integration of the~~  
3444 ~~information to be shared, the sharing of information obtained,~~  
3445 ~~the joint planning on diversion and early intervention~~  
3446 ~~strategies for juveniles at risk of becoming serious habitual~~  
3447 ~~juvenile offenders, and the intervention strategies for serious~~  
3448 ~~habitual juvenile offenders, a multiagency task force should be~~  
3449 ~~organized and utilized by the law enforcement agency or county~~  
3450 ~~in conjunction with the initiation of the information system~~  
3451 ~~described in subsections (1) and (2). The multiagency task force~~

20101412er

3452 ~~shall be composed of representatives of those agencies and~~  
3453 ~~persons providing information for the central identification~~  
3454 ~~file and the multiagency information sheet.~~

3455 ~~(4) This multiagency task force shall develop a plan for~~  
3456 ~~the information system that includes measures which identify and~~  
3457 ~~address any disproportionate representation of ethnic or racial~~  
3458 ~~minorities in the information systems and shall develop~~  
3459 ~~strategies that address the protection of individual~~  
3460 ~~constitutional rights.~~

3461 ~~(3)~~ (5) A Any law enforcement agency, or county that ~~which~~  
3462 implements a juvenile offender information system ~~and the~~  
3463 ~~multiagency task force which maintain the information system~~  
3464 must annually provide ~~any~~ information gathered during the  
3465 previous year to the delinquency and gang prevention council of  
3466 the judicial circuit in which the county is located. This  
3467 information must ~~shall~~ include the number, types, and patterns  
3468 of delinquency tracked by the juvenile offender information  
3469 system.

3470 Section 169. Paragraph (a) of subsection (8) of section  
3471 985.47, Florida Statutes, is amended to read:

3472 985.47 Serious or habitual juvenile offender.—

3473 (8) ASSESSMENT AND TREATMENT SERVICES.—Pursuant to this  
3474 chapter and the establishment of appropriate program guidelines  
3475 and standards, contractual instruments, which shall include  
3476 safeguards of all constitutional rights, shall be developed as  
3477 follows:

3478 (a) The department shall provide for:

3479 1. ~~The~~ Oversight of the implementation of assessment and  
3480 treatment approaches.

20101412er

3481           2. ~~The~~ Identification and prequalification of appropriate  
3482 individuals or not-for-profit organizations, including minority  
3483 individuals or organizations when possible, to provide  
3484 assessment and treatment services to serious or habitual  
3485 delinquent children.

3486           3. ~~The~~ Monitoring and evaluation of assessment and  
3487 treatment services for compliance with this chapter and all  
3488 applicable rules and guidelines pursuant thereto.

3489           ~~4. The development of an annual report on the performance~~  
3490 ~~of assessment and treatment to be presented to the Governor, the~~  
3491 ~~Attorney General, the President of the Senate, the Speaker of~~  
3492 ~~the House of Representatives, and the Auditor General no later~~  
3493 ~~than January 1 of each year.~~

3494           Section 170. Paragraph (a) of subsection (8) of section  
3495 985.483, Florida Statutes, is amended to read:

3496           985.483 Intensive residential treatment program for  
3497 offenders less than 13 years of age.—

3498           (8) ASSESSMENT AND TREATMENT SERVICES.—Pursuant to this  
3499 chapter and the establishment of appropriate program guidelines  
3500 and standards, contractual instruments, which shall include  
3501 safeguards of all constitutional rights, shall be developed for  
3502 intensive residential treatment programs for offenders less than  
3503 13 years of age as follows:

3504           (a) The department shall provide for:

3505           1. ~~The~~ Oversight of the implementation of assessment and  
3506 treatment approaches.

3507           2. ~~The~~ Identification and prequalification of appropriate  
3508 individuals or not-for-profit organizations, including minority  
3509 individuals or organizations when possible, to provide

20101412er

3510 assessment and treatment services to intensive offenders less  
3511 than 13 years of age.

3512 3. ~~The~~ Monitoring and evaluation of assessment and  
3513 treatment services for compliance with this chapter and all  
3514 applicable rules and guidelines pursuant thereto.

3515 ~~4. The development of an annual report on the performance~~  
3516 ~~of assessment and treatment to be presented to the Governor, the~~  
3517 ~~Attorney General, the President of the Senate, the Speaker of~~  
3518 ~~the House of Representatives, the Auditor General, and the~~  
3519 ~~Office of Program Policy Analysis and Government Accountability~~  
3520 ~~no later than January 1 of each year.~~

3521 Section 171. Subsection (5) of section 985.61, Florida  
3522 Statutes, is repealed.

3523 Section 172. Subsection (1) of section 985.622, Florida  
3524 Statutes, is amended to read:

3525 985.622 Multiagency plan for vocational education.—

3526 (1) The Department of Juvenile Justice and the Department  
3527 of Education shall, in consultation with the statewide Workforce  
3528 Development Youth Council, school districts, providers, and  
3529 others, jointly develop a multiagency plan for vocational  
3530 education that establishes the curriculum, goals, and outcome  
3531 measures for vocational programs in juvenile commitment  
3532 facilities. The plan must include:

3533 (a) Provisions for maximizing appropriate state and federal  
3534 funding sources, including funds under the Workforce Investment  
3535 Act and the Perkins Act;

3536 (b) The responsibilities of both departments and all other  
3537 appropriate entities; and

3538 (c) A detailed implementation schedule.

20101412er

3539  
3540 ~~The plan must be submitted to the Governor, the President of the~~  
3541 ~~Senate, and the Speaker of the House of Representatives by May~~  
3542 ~~1, 2001.~~

3543       Section 173. Subsection (7) of section 985.632, Florida  
3544 Statutes, is repealed.

3545       Section 174. Subsection (4) of section 1003.61, Florida  
3546 Statutes, is repealed.

3547       Section 175. Subsection (6) of section 1004.50, Florida  
3548 Statutes, is repealed.

3549       Section 176. Section 1006.0605, Florida Statutes, is  
3550 repealed.

3551       Section 177. Section 1006.67, Florida Statutes, is  
3552 repealed.

3553       Section 178. Subsection (8) of section 1009.70, Florida  
3554 Statutes, is amended to read:

3555       1009.70 Florida Education Fund.—

3556       (8) There is created a legal education component of the  
3557 Florida Education Fund to provide the opportunity for minorities  
3558 to attain representation within the legal profession  
3559 proportionate to their representation within the general  
3560 population. The legal education component of the Florida  
3561 Education Fund includes a law school program and a pre-law  
3562 program.

3563       (a) The law school scholarship program of the Florida  
3564 Education Fund is to be administered by the Board of Directors  
3565 of the Florida Education Fund for the purpose of increasing ~~by~~  
3566 ~~200~~ the number of minority students enrolled in law schools in  
3567 this state by 200. Implementation of this program is to be

20101412er

3568 phased in over a 3-year period.

3569 1. The board of directors shall provide financial,  
3570 academic, and other support to students selected for  
3571 participation in this program from funds appropriated by the  
3572 Legislature.

3573 2. Student selection must be made in accordance with rules  
3574 adopted by the board of directors for that purpose and must be  
3575 based, at least in part, on an assessment of potential for  
3576 success, merit, and financial need.

3577 3. Support must be made available to students who enroll in  
3578 private, as well as public, law schools in this state which are  
3579 accredited by the American Bar Association.

3580 4. Scholarships must be paid directly to the participating  
3581 students.

3582 5. Students who participate in this program must agree in  
3583 writing to sit for The Florida Bar examination and, upon  
3584 successful admission to The Florida Bar, to ~~either~~ practice law  
3585 in the state for a period ~~of time~~ equal to the amount of time  
3586 for which the student received aid, up to 3 years, or repay the  
3587 amount of aid received.

3588 ~~6. Annually, the board of directors shall compile a report~~  
3589 ~~that includes a description of the selection process, an~~  
3590 ~~analysis of the academic progress of all scholarship recipients,~~  
3591 ~~and an analysis of expenditures. This report must be submitted~~  
3592 ~~to the President of the Senate, the Speaker of the House of~~  
3593 ~~Representatives, and the Governor.~~

3594 (b) The minority pre-law scholarship loan program of the  
3595 Florida Education Fund is to be administered by the Board of  
3596 Directors of the Florida Education Fund for the purpose of

20101412er

3597 increasing the opportunity of minority students to prepare for  
3598 law school.

3599 1. From funds appropriated by the Legislature, the board of  
3600 directors shall provide for student fees, room, board, books,  
3601 supplies, and academic and other support to selected minority  
3602 undergraduate students matriculating at eligible public and  
3603 independent colleges and universities in Florida.

3604 2. Student selection must be made in accordance with rules  
3605 adopted by the board of directors for that purpose and must be  
3606 based, at least in part, on an assessment of potential for  
3607 success, merit, and financial need.

3608 3. To be eligible, a student must make a written agreement  
3609 to enter or be accepted to enter a law school in this state  
3610 within 2 years after graduation or repay the scholarship loan  
3611 amount plus interest at the prevailing rate.

3612 4. Recipients who fail to gain admission to a law school  
3613 within the specified period ~~of time~~, may, upon admission to law  
3614 school, be eligible to have their loans canceled.

3615 5. Minority pre-law scholarship loans shall be provided to  
3616 34 minority students per year for up to 4 years each, for a  
3617 total of 136 scholarship loans. To continue receiving ~~receipt of~~  
3618 scholarship loans, recipients must maintain a 2.75 grade point  
3619 average for the freshman year and a 3.25 grade point average  
3620 thereafter. Participants must also take specialized courses to  
3621 enhance competencies in English and logic.

3622 6. The board of directors shall maintain records on all  
3623 scholarship loan recipients. Participating institutions shall  
3624 submit academic progress reports to the board of directors  
3625 following each academic term. ~~Annually, the board of directors~~

20101412er

3626 ~~shall compile a report that includes a description of the~~  
3627 ~~selection process, an analysis of the academic progress of all~~  
3628 ~~scholarship loan recipients, and an analysis of expenditures.~~  
3629 ~~This report must be submitted to the President of the Senate,~~  
3630 ~~the Speaker of the House of Representatives, and the Governor.~~

3631 Section 179. Subsection (8) of section 1011.32, Florida  
3632 Statutes, is amended to read:

3633 1011.32 Community College Facility Enhancement Challenge  
3634 Grant Program.—

3635 (8) By September 1 of each year, the State Board of  
3636 Education shall transmit to the Governor and the Legislature a  
3637 list of projects that ~~which~~ meet all eligibility requirements to  
3638 participate in the Community College Facility Enhancement  
3639 Challenge Grant Program and a budget request that ~~which~~ includes  
3640 the recommended schedule necessary to complete each project.

3641 Section 180. Paragraph (s) of subsection (1) of section  
3642 1011.62, Florida Statutes, is amended to read:

3643 1011.62 Funds for operation of schools.—If the annual  
3644 allocation from the Florida Education Finance Program to each  
3645 district for operation of schools is not determined in the  
3646 annual appropriations act or the substantive bill implementing  
3647 the annual appropriations act, it shall be determined as  
3648 follows:

3649 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
3650 OPERATION.—The following procedure shall be followed in  
3651 determining the annual allocation to each district for  
3652 operation:

3653 (s) *Extended-school-year program.*—It is the intent of the  
3654 Legislature that students be provided additional instruction by

20101412er

3655 extending the school year to 210 days or more. Districts may  
3656 apply to the Commissioner of Education for funds to be used in  
3657 planning and implementing an extended-school-year program. ~~The~~  
3658 ~~Department of Education shall recommend to the Legislature the~~  
3659 ~~policies necessary for full implementation of an extended school~~  
3660 ~~year.~~

3661 Section 181. Paragraph (1) of subsection (2) of section  
3662 1012.05, Florida Statutes, is repealed.

3663 Section 182. Subsection (1) of section 1012.42, Florida  
3664 Statutes, is amended to read:

3665 1012.42 Teacher teaching out-of-field.—

3666 (1) ASSISTANCE.—Each district school board shall adopt and  
3667 implement a plan to assist any teacher teaching out-of-field,  
3668 and priority consideration in professional development  
3669 activities shall be given to a teacher ~~teachers~~ who is ~~are~~  
3670 teaching out-of-field. The district school board shall require  
3671 that the teacher ~~such teachers~~ participate in a certification or  
3672 staff development program designed to provide the teacher with  
3673 the competencies required for the assigned duties. The board-  
3674 approved assistance plan must include duties of administrative  
3675 personnel and other instructional personnel to provide students  
3676 with instructional services. ~~Each district school board shall~~  
3677 ~~contact its regional workforce board, created pursuant to s.~~  
3678 ~~445.007, to identify resources that may assist teachers who are~~  
3679 ~~teaching out of field and who are pursuing certification.~~

3680 Section 183. Section 1013.11, Florida Statutes, is amended  
3681 to read:

3682 1013.11 Postsecondary institutions assessment of physical  
3683 plant safety.—The president of each postsecondary institution

20101412er

3684 shall conduct or cause to be conducted an annual assessment of  
3685 physical plant safety. An annual report shall incorporate the  
3686 assessment findings ~~obtained through such assessment~~ and  
3687 recommendations for the improvement of safety on each campus.  
3688 The annual report shall be submitted to the respective governing  
3689 or licensing board of jurisdiction no later than January 1 of  
3690 each year. Each board shall compile the individual institutional  
3691 reports and convey the aggregate institutional reports to the  
3692 Commissioner of Education or the Chancellor of the State  
3693 University System, as appropriate. ~~The Commissioner of Education~~  
3694 ~~and the Chancellor of the State University System shall convey~~  
3695 ~~these reports and the reports required in s. 1006.67 to the~~  
3696 ~~President of the Senate and the Speaker of the House of~~  
3697 ~~Representatives no later than March 1 of each year.~~

3698 Section 184. Subsection (3) of section 161.142, Florida  
3699 Statutes, is amended to read:

3700 161.142 Declaration of public policy relating to improved  
3701 navigation inlets.—The Legislature recognizes the need for  
3702 maintaining navigation inlets to promote commercial and  
3703 recreational uses of our coastal waters and their resources. The  
3704 Legislature further recognizes that inlets interrupt or alter  
3705 the natural drift of beach-quality sand resources, which often  
3706 results in these sand resources being deposited in nearshore  
3707 areas or in the inlet channel, or in the inland waterway  
3708 adjacent to the inlet, instead of providing natural nourishment  
3709 to the adjacent eroding beaches. Accordingly, the Legislature  
3710 finds it is in the public interest to replicate the natural  
3711 drift of sand which is interrupted or altered by inlets to be  
3712 replaced and for each level of government to undertake all

20101412er

3713 reasonable efforts to maximize inlet sand bypassing to ensure  
3714 that beach-quality sand is placed on adjacent eroding beaches.  
3715 Such activities cannot make up for the historical sand deficits  
3716 caused by inlets but shall be designed to balance the sediment  
3717 budget of the inlet and adjacent beaches and extend the life of  
3718 proximate beach-restoration projects so that periodic  
3719 nourishment is needed less frequently. Therefore, in furtherance  
3720 of this declaration of public policy and the Legislature's  
3721 intent to redirect and recommit the state's comprehensive beach  
3722 management efforts to address the beach erosion caused by  
3723 inlets, the department shall ensure that:

3724 (3) Construction waterward of the coastal construction  
3725 control line on downdrift coastal areas, on islands  
3726 substantially created by the deposit of spoil, located within 1  
3727 mile of the centerline of navigation channels or inlets,  
3728 providing access to ports listed in s. 403.021(9)(b), which  
3729 suffers or has suffered erosion caused by such navigation  
3730 channel maintenance or construction shall be exempt from the  
3731 permitting requirements and prohibitions of s. 161.053~~(4)~~~~(5)~~ or  
3732 (5)~~(6)~~; however, such construction shall comply with the  
3733 applicable Florida Building Code adopted pursuant to s. 553.73.  
3734 The timing and sequence of any construction activities  
3735 associated with inlet management projects shall provide  
3736 protection to nesting sea turtles and their hatchlings and  
3737 habitats, to nesting shorebirds, and to native salt-resistant  
3738 vegetation and endangered plant communities. Beach-quality sand  
3739 placed on the beach as part of an inlet management project must  
3740 be suitable for marine turtle nesting.

3741 Section 185. Paragraph (a) of subsection (4) of section

20101412er

3742 163.065, Florida Statutes, is amended to read:

3743 163.065 Miami River Improvement Act.—

3744 (4) PLAN.—The Miami River Commission, working with the City  
3745 of Miami and Miami-Dade County, shall consider the merits of the  
3746 following:

3747 (a) Development and adoption of an urban infill and  
3748 redevelopment plan, under ss. 163.2511-163.2523 ~~ss. 163.2511-~~  
3749 ~~163.2526~~, which and participating state and regional agencies  
3750 shall review ~~the proposed plan~~ for the purposes of determining  
3751 consistency with applicable law.

3752 Section 186. Subsection (1) of section 163.2511, Florida  
3753 Statutes, is amended to read:

3754 163.2511 Urban infill and redevelopment.—

3755 (1) Sections 163.2511-163.2523 ~~163.2511-163.2526~~ may be  
3756 cited as the "Growth Policy Act."

3757 Section 187. Section 163.2514, Florida Statutes, is amended  
3758 to read:

3759 163.2514 Growth Policy Act; definitions.—As used in ss.  
3760 163.2511-163.2523, the term ~~ss. 163.2511-163.2526~~:

3761 (1) "Local government" means any county or municipality.

3762 (2) "Urban infill and redevelopment area" means an area or  
3763 areas designated by a local government where:

3764 (a) Public services such as water and wastewater,  
3765 transportation, schools, and recreation are already available or  
3766 are scheduled to be provided in an adopted 5-year schedule of  
3767 capital improvements;

3768 (b) The area, or one or more neighborhoods within the area,  
3769 suffers from pervasive poverty, unemployment, and general  
3770 distress as defined by s. 290.0058;

20101412er

3771 (c) The area exhibits a proportion of properties that are  
3772 substandard, overcrowded, dilapidated, vacant or abandoned, or  
3773 functionally obsolete which is higher than the average for the  
3774 local government;

3775 (d) More than 50 percent of the area is within 1/4 mile of  
3776 a transit stop, or a sufficient number of ~~such~~ transit stops  
3777 will be made available concurrent with the designation; and

3778 (e) The area includes or is adjacent to community  
3779 redevelopment areas, brownfields, enterprise zones, or Main  
3780 Street programs, or has been designated by the state or Federal  
3781 Government as an urban redevelopment, revitalization, or infill  
3782 area under empowerment zone, enterprise community, or brownfield  
3783 showcase community programs or similar programs.

3784 Section 188. Subsection (2) of section 163.3202, Florida  
3785 Statutes, is amended to read:

3786 163.3202 Land development regulations.—

3787 (2) Local land development regulations shall contain  
3788 specific and detailed provisions necessary or desirable to  
3789 implement the adopted comprehensive plan and shall at ~~as~~ a  
3790 minimum:

3791 (a) Regulate the subdivision of land.

3792 (b) Regulate the use of land and water for those land use  
3793 categories included in the land use element and ensure the  
3794 compatibility of adjacent uses and provide for open space.

3795 (c) Provide for protection of potable water wellfields.

3796 (d) Regulate areas subject to seasonal and periodic  
3797 flooding and provide for drainage and stormwater management.

3798 (e) Ensure the protection of environmentally sensitive  
3799 lands designated in the comprehensive plan.

20101412er

3800 (f) Regulate signage.

3801 (g) Provide that public facilities and services meet or  
3802 exceed the standards established in the capital improvements  
3803 element required by s. 163.3177 and are available when needed  
3804 for the development, or that development orders and permits are  
3805 conditioned on the availability of these public facilities and  
3806 services necessary to serve the proposed development. ~~Not later~~  
3807 ~~than 1 year after its due date established by the state land~~  
3808 ~~planning agency's rule for submission of local comprehensive~~  
3809 ~~plans pursuant to s. 163.3167(2),~~ A local government may ~~shall~~  
3810 not issue a development order or permit that ~~which~~ results in a  
3811 reduction in the level of services for the affected public  
3812 facilities below the level of services provided in the local  
3813 government's comprehensive plan ~~of the local government.~~

3814 (h) Ensure safe and convenient onsite traffic flow,  
3815 considering needed vehicle parking.

3816 Section 189. Paragraph (b) of subsection (11) of section  
3817 259.041, Florida Statutes, is amended to read:

3818 259.041 Acquisition of state-owned lands for preservation,  
3819 conservation, and recreation purposes.—

3820 (11)

3821 (b) All project applications shall identify, within their  
3822 acquisition plans, ~~these~~ projects that ~~which~~ require a full fee  
3823 simple interest to achieve the public policy goals, together  
3824 with the reasons full title is determined to be necessary. The  
3825 state agencies and the water management districts may use  
3826 alternatives to fee simple acquisition to bring the remaining  
3827 projects in their acquisition plans under public protection. For  
3828 the purposes of this subsection, the term "alternatives to fee

20101412er

3829 simple acquisition" includes, but is not limited to: purchase of  
3830 development rights; obtaining conservation easements; obtaining  
3831 flowage easements; purchase of timber rights, mineral rights, or  
3832 hunting rights; purchase of agricultural interests or  
3833 silvicultural interests; entering into land protection  
3834 agreements as defined in s. 380.0677(3) ~~s. 380.0677(4)~~; fee  
3835 simple acquisitions with reservations; creating life estates; or  
3836 any other acquisition technique that ~~which~~ achieves the public  
3837 policy goals listed in paragraph (a). It is presumed that a  
3838 private landowner retains the full range of uses for all the  
3839 rights or interests in the landowner's land which are not  
3840 specifically acquired by the public agency. The lands upon which  
3841 hunting rights are specifically acquired pursuant to this  
3842 paragraph shall be available for hunting in accordance with the  
3843 management plan or hunting regulations adopted by the Florida  
3844 Fish and Wildlife Conservation Commission, unless the hunting  
3845 rights are purchased specifically to protect activities on  
3846 adjacent lands.

3847 Section 190. Paragraph (c) of subsection (3) of section  
3848 259.101, Florida Statutes, is amended to read:

3849 259.101 Florida Preservation 2000 Act.—

3850 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.—Less the costs  
3851 of issuance, the costs of funding reserve accounts, and other  
3852 costs with respect to the bonds, the proceeds of bonds issued  
3853 pursuant to this act shall be deposited into the Florida  
3854 Preservation 2000 Trust Fund created by s. 375.045. In fiscal  
3855 year 2000-2001, for each Florida Preservation 2000 program  
3856 described in paragraphs (a)-(g), that portion of each program's  
3857 total remaining cash balance which, as of June 30, 2000, is in

20101412er

3858 excess of that program's total remaining appropriation balances  
3859 shall be redistributed by the department and deposited into the  
3860 Save Our Everglades Trust Fund for land acquisition. For  
3861 purposes of calculating the total remaining cash balances for  
3862 this redistribution, the Florida Preservation 2000 Series 2000  
3863 bond proceeds, including interest thereon, and the fiscal year  
3864 1999-2000 General Appropriations Act amounts shall be deducted  
3865 from the remaining cash and appropriation balances,  
3866 respectively. The remaining proceeds shall be distributed by the  
3867 Department of Environmental Protection in the following manner:

3868 (c) Ten percent to the Department of Community Affairs to  
3869 provide land acquisition grants and loans to local governments  
3870 through the Florida Communities Trust pursuant to part III of  
3871 chapter 380. From funds allocated to the trust, \$3 million  
3872 annually shall be used by the Division of State Lands within the  
3873 Department of Environmental Protection to implement the Green  
3874 Swamp Land Protection Initiative specifically for the purchase  
3875 of conservation easements, as defined in s. 380.0677(3) ~~s.~~  
3876 ~~380.0677(4)~~, of lands, or severable interests or rights in  
3877 lands, in the Green Swamp Area of Critical State Concern. From  
3878 funds allocated to the trust, \$3 million annually shall be used  
3879 by the Monroe County Comprehensive Plan Land Authority  
3880 specifically for the purchase of a ~~any~~ real property interest in  
3881 ~~either~~ those lands subject to the Rate of Growth Ordinances  
3882 adopted by local governments in Monroe County or those lands  
3883 within the boundary of an approved Conservation and Recreation  
3884 Lands project located within the Florida Keys or Key West Areas  
3885 of Critical State Concern; however, title to lands acquired  
3886 within the boundary of an approved Conservation and Recreation

20101412er

3887 Lands project may, in accordance with an approved joint  
3888 acquisition agreement, vest in the Board of Trustees of the  
3889 Internal Improvement Trust Fund. Of the remaining funds  
3890 ~~allocated to the trust after the above transfers occur~~, one-half  
3891 shall be matched by local governments on a dollar-for-dollar  
3892 basis. To the extent allowed by federal requirements for the use  
3893 of bond proceeds, the trust shall expend Preservation 2000 funds  
3894 to carry out the purposes of part III of chapter 380.

3895  
3896 Local governments may use federal grants or loans, private  
3897 donations, or environmental mitigation funds, including  
3898 environmental mitigation funds required pursuant to s. 338.250,  
3899 for any part or all of any local match required for the purposes  
3900 described in this subsection. Bond proceeds allocated pursuant  
3901 to paragraph (c) may be used to purchase lands on the priority  
3902 lists developed pursuant to s. 259.035. Title to lands purchased  
3903 pursuant to paragraphs (a), (d), (e), (f), and (g) shall be  
3904 vested in the Board of Trustees of the Internal Improvement  
3905 Trust Fund. Title to lands purchased pursuant to paragraph (c)  
3906 may be vested in the Board of Trustees of the Internal  
3907 Improvement Trust Fund. The board of trustees shall hold title  
3908 to land protection agreements and conservation easements that  
3909 were or will be acquired pursuant to s. 380.0677, and the  
3910 Southwest Florida Water Management District and the St. Johns  
3911 River Water Management District shall monitor such agreements  
3912 and easements within their respective districts until the state  
3913 assumes this responsibility.

3914 Section 191. Subsections (1) and (5) of section 369.305,  
3915 Florida Statutes, are amended to read:

20101412er

3916 369.305 Review of local comprehensive plans, land  
3917 development regulations, Wekiva River development permits, and  
3918 amendments.—

3919 ~~(1) It is the intent of the Legislature that comprehensive~~  
3920 ~~plans and land development regulations of Orange, Lake, and~~  
3921 ~~Seminole Counties be revised to protect the Wekiva River~~  
3922 ~~Protection Area prior to the due dates established in ss.~~  
3923 ~~163.3167(2) and 163.3202 and chapter 9J-12, Florida~~  
3924 ~~Administrative Code. It is also the intent of the Legislature~~  
3925 ~~that Orange, Lake, and Seminole the Counties emphasize the~~  
3926 ~~Wekiva River Protection Area this important state resource in~~  
3927 ~~their planning and regulation efforts. Therefore, each county's~~  
3928 ~~county shall, by April 1, 1989, review and amend those portions~~  
3929 ~~of its local comprehensive plan and its land development~~  
3930 ~~regulations applicable to the Wekiva River Protection Area must,~~  
3931 ~~and, if necessary, adopt additional land development regulations~~  
3932 ~~which are applicable to the Wekiva River Protection Area to meet~~  
3933 ~~the following criteria:~~

3934 (a) Each county's local comprehensive plan must ~~shall~~  
3935 contain goals, policies, and objectives that ~~which~~ result in the  
3936 protection of the:

3937 1. Water quantity, water quality, and hydrology of the  
3938 Wekiva River System;

3939 2. Wetlands associated with the Wekiva River System;

3940 3. Aquatic and wetland-dependent wildlife species  
3941 associated with the Wekiva River System;

3942 4. Habitat within the Wekiva River Protection Area of  
3943 species designated pursuant to rules 39-27.003, 39-27.004, and  
3944 39-27.005, Florida Administrative Code; and

20101412er

3945           5. Native vegetation within the Wekiva River Protection  
3946 Area.

3947           (b) The various land uses and densities and intensities of  
3948 development permitted by the local comprehensive plan shall  
3949 protect the resources enumerated in paragraph (a) and the rural  
3950 character of the Wekiva River Protection Area. The plan must  
3951 ~~shall~~ also include:

3952           1. Provisions that ~~to~~ ensure the preservation of sufficient  
3953 habitat for feeding, nesting, roosting, and resting so as to  
3954 maintain viable populations of species designated pursuant to  
3955 rules 39-27.003, 39-27.004, and 39-27.005, Florida  
3956 Administrative Code, within the Wekiva River Protection Area.

3957           2. Restrictions on the clearing of native vegetation within  
3958 the 100-year flood plain.

3959           3. Prohibition of development that is not low-density  
3960 residential in nature, unless the ~~that~~ development has less  
3961 effect ~~impacts~~ on natural resources than low-density residential  
3962 development.

3963           4. Provisions for setbacks along the Wekiva River for areas  
3964 that do not fall within the protection zones established  
3965 pursuant to s. 373.415.

3966           5. Restrictions on intensity of development adjacent to  
3967 publicly owned lands to prevent adverse impacts to such lands.

3968           6. Restrictions on filling and alteration of wetlands in  
3969 the Wekiva River Protection Area.

3970           7. Provisions encouraging clustering of residential  
3971 development if ~~when~~ it promotes protection of environmentally  
3972 sensitive areas, and ensures ~~ensuring~~ that residential  
3973 development in the aggregate are ~~shall be of a rural in~~ density

20101412er

3974 and character.

3975 (c) The local comprehensive plan must ~~shall~~ require that  
3976 the density or intensity of development permitted on parcels of  
3977 property adjacent to the Wekiva River System be concentrated on  
3978 those portions of the parcels which are the farthest from the  
3979 surface waters and wetlands of the Wekiva River System.

3980 (d) The local comprehensive plan must ~~shall~~ require that  
3981 parcels of land adjacent to the surface waters and watercourses  
3982 of the Wekiva River System not be subdivided so as to interfere  
3983 with the implementation of protection zones as established  
3984 pursuant to s. 373.415, any applicable setbacks from the surface  
3985 waters in the Wekiva River System which are established by local  
3986 governments, or the policy established in paragraph (c) of  
3987 concentrating development in the Wekiva River Protection Area as  
3988 far from the surface waters and wetlands of the Wekiva River  
3989 System as practicable.

3990 (e) The local land development regulations must ~~shall~~  
3991 implement the provisions of paragraphs (a), (b), (c), and (d)  
3992 and must ~~shall also~~ include restrictions on the location of  
3993 septic tanks and drainfields in the 100-year flood plain and  
3994 discharges of stormwater to the Wekiva River System.

3995 ~~(5) During the period of time between the effective date of  
3996 this act and the due date of a county's revised local government  
3997 comprehensive plan as established by s. 163.3167(2) and chapter  
3998 9J-12, Florida Administrative Code, any local comprehensive plan  
3999 amendment or amendment to a land development regulation, adopted  
4000 or issued by a county, which applies to the Wekiva River  
4001 Protection Area, or any Wekiva River development permit adopted  
4002 by a county, solely within protection zones established pursuant~~

20101412er

4003 to s. 373.415, shall be sent to the department within 10 days  
4004 after its adoption or issuance by the local governing body but  
4005 shall not become effective until certified by the department as  
4006 being in compliance with purposes described in subsection (1).  
4007 The department shall make its decision on certification within  
4008 60 days after receipt of the amendment or development permit  
4009 solely within protection zones established pursuant to s.  
4010 373.415. The department's decision on certification shall be  
4011 final agency action. This subsection shall not apply to any  
4012 amendments or new land development regulations adopted pursuant  
4013 to subsections (1)-(4) or to any development order approving,  
4014 approving with conditions, or denying a development of regional  
4015 impact.

4016 Section 192. Paragraph (g) of subsection (1) of section  
4017 379.2431, Florida Statutes, is amended to read:

4018 379.2431 Marine animals; regulation.—

4019 (1) PROTECTION OF MARINE TURTLES.—

4020 (g) The Department of Environmental Protection may  
4021 condition the nature, timing, and sequence of construction of  
4022 permitted activities to provide protection to nesting marine  
4023 turtles and hatchlings and their habitat pursuant to s.  
4024 161.053(4) ~~the provisions of s. 161.053(5)~~. If ~~When~~ the  
4025 department is considering a permit for a beach restoration,  
4026 beach renourishment, or inlet sand transfer project and the  
4027 applicant has had an active marine turtle nest relocation  
4028 program or the applicant has agreed to and has the ability to  
4029 administer a program, the department may ~~must~~ not restrict the  
4030 timing of the project. If ~~Where~~ appropriate, the department, in  
4031 accordance with the applicable rules of the Fish and Wildlife

20101412er

4032 Conservation Commission, shall require as a condition of the  
4033 permit that the applicant relocate and monitor all turtle nests  
4034 that would be affected by the beach restoration, beach  
4035 renourishment, or sand transfer activities. Such relocation and  
4036 monitoring activities shall be conducted in a manner that  
4037 ensures successful hatching. This limitation on the department's  
4038 authority applies only on the Atlantic coast of Florida.

4039 Section 193. Section 381.732, Florida Statutes, is amended  
4040 to read:

4041 381.732 Short title; Healthy Communities, Healthy People  
4042 Act.—Sections 381.732-381.734 ~~381.731-381.734~~ may be cited as  
4043 the "Healthy Communities, Healthy People Act."

4044 Section 194. Section 381.733, Florida Statutes, is amended  
4045 to read:

4046 381.733 Definitions relating to Healthy Communities,  
4047 Healthy People Act.—As used in ss. 381.732-381.734 ~~ss. 381.731-~~  
4048 ~~381.734~~, the term:

4049 (1) "Department" means the Department of Health.

4050 (2) "Primary prevention" means interventions directed  
4051 toward healthy populations with a focus on avoiding disease  
4052 before it occurs ~~prior to its occurrence~~.

4053 (3) "Secondary prevention" means interventions designed to  
4054 promote the early detection and treatment of diseases and to  
4055 reduce the risks experienced by at-risk populations.

4056 (4) "Tertiary prevention" means interventions directed at  
4057 rehabilitating and minimizing the effects of disease in a  
4058 chronically ill population.

4059 Section 195. Paragraph (d) of subsection (5) of section  
4060 411.01, Florida Statutes, is amended to read:

20101412er

4061 411.01 School readiness programs; early learning  
4062 coalitions.—

4063 (5) CREATION OF EARLY LEARNING COALITIONS.—

4064 (d) *Implementation*.—

4065 1. An early learning coalition may not implement the school  
4066 readiness program until ~~the coalition is authorized through~~  
4067 ~~approval of~~ the coalition's school readiness plan is approved by  
4068 the Agency for Workforce Innovation.

4069 2. Each early learning coalition shall develop a plan for  
4070 implementing the school readiness program to meet the  
4071 requirements of this section and the performance standards and  
4072 outcome measures adopted by the Agency for Workforce Innovation.  
4073 The plan must demonstrate how the program will ensure that each  
4074 3-year-old and 4-year-old child in a publicly funded school  
4075 readiness program receives scheduled activities and instruction  
4076 designed to enhance the age-appropriate progress of the children  
4077 in attaining the performance standards adopted by the agency ~~for~~  
4078 ~~Workforce Innovation~~ under subparagraph (4) (d) 8. Before  
4079 implementing the school readiness program, the early learning  
4080 coalition must submit the plan to the agency ~~for Workforce~~  
4081 ~~Innovation~~ for approval. The agency ~~for Workforce Innovation~~ may  
4082 approve the plan, reject the plan, or approve the plan with  
4083 conditions. The agency ~~for Workforce Innovation~~ shall review  
4084 school readiness plans at least annually.

4085 3. If the Agency for Workforce Innovation determines during  
4086 the annual review of school readiness plans, or through  
4087 monitoring and performance evaluations conducted under paragraph  
4088 (4) (1), that an early learning coalition has not substantially  
4089 implemented its plan, has not substantially met the performance

20101412er

4090 standards and outcome measures adopted by the agency, or has not  
4091 effectively administered the school readiness program or  
4092 Voluntary Prekindergarten Education Program, the agency ~~for~~  
4093 ~~Workforce Innovation~~ may dissolve the coalition and temporarily  
4094 contract with a qualified entity to continue school readiness  
4095 and prekindergarten services in the coalition's county or  
4096 multicounty region until the coalition is reestablished through  
4097 resubmission of a school readiness plan and approval by the  
4098 agency.

4099 4. The Agency for Workforce Innovation shall adopt criteria  
4100 for the approval of school readiness plans. The criteria must be  
4101 consistent with the performance standards and outcome measures  
4102 adopted by the agency and must require each approved plan to  
4103 include the following minimum standards ~~and provisions~~:

4104 a. A sliding fee scale establishing a copayment for parents  
4105 based upon their ability to pay, which is the same for all  
4106 program providers, to be implemented and reflected in each  
4107 program's budget.

4108 b. A choice of settings and locations in licensed,  
4109 registered, religious-exempt, or school-based programs to be  
4110 provided to parents.

4111 c. Instructional staff who have completed the training  
4112 course as required in s. 402.305(2)(d)1., as well as staff who  
4113 have additional training or credentials as required by the  
4114 Agency for Workforce Innovation. The plan must provide a method  
4115 for assuring the qualifications of all personnel in all program  
4116 settings.

4117 d. Specific eligibility priorities for children within the  
4118 early learning coalition's county or multicounty region in

20101412er

4119 accordance with subsection (6).

4120 e. Performance standards and outcome measures adopted by  
4121 the agency ~~for Workforce Innovation~~.

4122 f. Payment rates adopted by the early learning coalition  
4123 and approved by the agency ~~for Workforce Innovation~~. Payment  
4124 rates may not have the effect of limiting parental choice or  
4125 creating standards or levels of services that have not been  
4126 authorized by the Legislature.

4127 g. Systems support services, including a central agency,  
4128 child care resource and referral, eligibility determinations,  
4129 training of providers, and parent support and involvement.

4130 h. Direct enhancement services to families and children.  
4131 System support and direct enhancement services shall be in  
4132 addition to payments for the placement of children in school  
4133 readiness programs.

4134 i. The business organization of the early learning  
4135 coalition, which must include the coalition's articles of  
4136 incorporation and bylaws if the coalition is organized as a  
4137 corporation. If the coalition is not organized as a corporation  
4138 or other business entity, the plan must include the contract  
4139 with a fiscal agent. An early learning coalition may contract  
4140 with other coalitions to achieve efficiency in multicounty  
4141 services, and these contracts may be part of the coalition's  
4142 school readiness plan.

4143 j. Strategies to meet the needs of unique populations, such  
4144 as migrant workers.

4145

4146 As part of the school readiness plan, the early learning  
4147 coalition may request the Governor to apply for a waiver to

20101412er

4148 allow the coalition to administer the Head Start Program to  
4149 accomplish the purposes of the school readiness program. If a  
4150 school readiness plan demonstrates that specific statutory goals  
4151 can be achieved more effectively by modifying ~~using procedures~~  
4152 ~~that require modification of~~ existing rules, policies, or  
4153 procedures, a request for a waiver to the Agency for Workforce  
4154 Innovation may be submitted as part of the plan. Upon review,  
4155 the agency ~~for Workforce Innovation~~ may grant the proposed  
4156 modification.

4157         5. Persons with an early childhood teaching certificate may  
4158 provide support and supervision to other staff in the school  
4159 readiness program.

4160         6. An early learning coalition may not implement its school  
4161 readiness plan until it submits the plan to and receives  
4162 approval from the Agency for Workforce Innovation. Once the plan  
4163 is approved, the plan and the services provided under the plan  
4164 shall be controlled by the early learning coalition. The plan  
4165 shall be reviewed and revised as necessary, but at least  
4166 biennially. An early learning coalition may not implement the  
4167 revisions until the coalition submits the revised plan to and  
4168 receives approval from the agency ~~for Workforce Innovation~~. If  
4169 the agency ~~for Workforce Innovation~~ rejects a revised plan, the  
4170 coalition must continue to operate under its prior approved  
4171 plan.

4172         7. Sections 125.901(2)(a)3., ~~411.221,~~ and 411.232 do not  
4173 apply to an early learning coalition with an approved school  
4174 readiness plan. To facilitate innovative practices and to allow  
4175 the regional establishment of school readiness programs, an  
4176 early learning coalition may apply to the Governor and Cabinet

20101412er

4177 for a waiver of, and the Governor and Cabinet may waive, any of  
4178 the provisions of ss. 411.223, 411.232, and 1003.54, if the  
4179 waiver is necessary for implementation of the coalition's school  
4180 readiness plan.

4181 8. Two or more counties may join for purposes of planning  
4182 and implementing a school readiness program.

4183 9. An early learning coalition may, subject to approval by  
4184 the Agency for Workforce Innovation as part of the coalition's  
4185 school readiness plan, receive subsidized child care funds for  
4186 all children eligible for any federal subsidized child care  
4187 program.

4188 10. An early learning coalition may enter into multiparty  
4189 contracts with multicounty service providers in order to meet  
4190 the needs of unique populations such as migrant workers.

4191 Section 196. Paragraph (a) of subsection (3) of section  
4192 411.232, Florida Statutes, is amended to read:

4193 411.232 Children's Early Investment Program.—

4194 (3) ESSENTIAL ELEMENTS.—

4195 (a) Initially, the program shall be directed to geographic  
4196 areas where at-risk young children and their families are in  
4197 greatest need because of an unfavorable combination of economic,  
4198 social, environmental, and health factors, including, without  
4199 limitation, extensive poverty, high crime rate, great incidence  
4200 of low birthweight babies, high incidence of alcohol and drug  
4201 abuse, and high rates of teenage pregnancy. The selection of a  
4202 geographic site must ~~shall~~ also consider the incidence of young  
4203 children within these at-risk geographic areas who are cocaine  
4204 babies, children of single mothers who receive temporary cash  
4205 assistance, children of teenage parents, low birthweight babies,

20101412er

4206 and very young foster children. To receive funding under this  
4207 section, an agency, board, council, or provider must  
4208 demonstrate:

4209 1. Its capacity to administer and coordinate the programs  
4210 and services in a comprehensive manner and provide a flexible  
4211 range of services;

4212 2. Its capacity to identify and serve those children least  
4213 able to access existing programs and case management services;

4214 3. Its capacity to administer and coordinate the programs  
4215 and services in an intensive and continuous manner;

4216 4. The proximity of its facilities to young children,  
4217 parents, and other family members to be served by the program,  
4218 or its ability to provide offsite services;

4219 5. Its ability to use existing federal, state, and local  
4220 governmental programs and services in implementing the  
4221 investment program;

4222 6. Its ability to coordinate activities and services with  
4223 existing public and private, state and local agencies and  
4224 programs such as those responsible for health, education, social  
4225 support, mental health, child care, respite care, housing,  
4226 transportation, alcohol and drug abuse treatment and prevention,  
4227 income assistance, employment training and placement, nutrition,  
4228 and other relevant services, all the foregoing intended to  
4229 assist children and families at risk;

4230 7. How its plan will involve project participants and  
4231 community representatives in the planning and operation of the  
4232 investment program; and

4233 8. Its ability to participate in the evaluation component  
4234 required in this section. ~~;~~ and

20101412er

4235 ~~9. Its consistency with the strategic plan pursuant to s.~~  
4236 ~~411.221.~~

4237 Section 197. Paragraph (a) of subsection (6) of section  
4238 445.006, Florida Statutes, is amended to read:

4239 445.006 Strategic and operational plans for workforce  
4240 development.—

4241 (6) (a) The operational plan must include strategies that  
4242 are designed to prevent or reduce the need for a person to  
4243 receive public assistance, including. ~~These strategies must~~  
4244 ~~include:~~

4245 1. A teen pregnancy prevention component that includes, but  
4246 is not limited to, a plan for implementing ~~the Florida Education~~  
4247 ~~Now and Babies Later (ENABL) program under s. 411.242 and the~~  
4248 Teen Pregnancy Prevention Community Initiative within each  
4249 county of the services area in which the teen birth rate is  
4250 higher than the state average;

4251 2. A component that encourages ~~creation of~~ community-based  
4252 welfare prevention and reduction initiatives that increase  
4253 support provided by noncustodial parents to their welfare-  
4254 dependent children and are consistent with program and financial  
4255 guidelines developed by Workforce Florida, Inc., and the  
4256 Commission on Responsible Fatherhood. These initiatives may  
4257 include, but are not limited to, improved paternity  
4258 establishment, work activities for noncustodial parents,  
4259 programs aimed at decreasing out-of-wedlock pregnancies,  
4260 encouraging involvement of fathers with their children including  
4261 court-ordered supervised visitation, and increasing child  
4262 support payments;

4263 3. A component that encourages formation and maintenance of

20101412er

4264 two-parent families through, among other things, court-ordered  
4265 supervised visitation;

4266 4. A component that fosters responsible fatherhood in  
4267 families receiving assistance; and

4268 5. A component that fosters provision of services that  
4269 reduce the incidence and effects of domestic violence on women  
4270 and children in families receiving assistance.

4271 Section 198. Subsections (24), (25), and (26) of section  
4272 1001.42, Florida Statutes, are amended to read:

4273 1001.42 Powers and duties of district school board.—The  
4274 district school board, acting as a board, shall exercise all  
4275 powers and perform all duties listed below:

4276 ~~(24) REDUCE PAPERWORK AND DATA COLLECTION AND REPORTING~~  
4277 ~~REQUIREMENTS. Beginning with the 2006-2007 school year:~~

4278 ~~(a) Each district school board shall designate a classroom~~  
4279 ~~teacher to serve as the teacher representative to speak on~~  
4280 ~~behalf of the district's teachers regarding paperwork and data~~  
4281 ~~collection reduction.~~

4282 ~~(b) Each district school board must provide the school~~  
4283 ~~community with an efficient method for the school community to~~  
4284 ~~communicate with the classroom teacher designee regarding~~  
4285 ~~possible paperwork and data collection burdens and potential~~  
4286 ~~solutions.~~

4287 ~~(c) The teacher designee shall annually report his or her~~  
4288 ~~findings and potential solutions to the school board.~~

4289 ~~(d) Each district school board must submit its findings and~~  
4290 ~~potential solutions to the State Board of Education by September~~  
4291 ~~1 of each year.~~

4292 ~~(e) The State Board of Education shall prepare a report of~~

20101412er

4293 ~~the statewide paperwork and data collection findings and~~  
4294 ~~potential solutions and submit the report to the Governor, the~~  
4295 ~~President of the Senate, and the Speaker of the House of~~  
4296 ~~Representatives by October 1 of each year.~~

4297 (24)~~(25)~~ EMPLOYMENT CONTRACTS.— A district school board may  
4298 not enter into an employment contract that requires the district  
4299 to pay from state funds an employee an amount in excess of 1  
4300 year of the employee's annual salary for termination, buyout, or  
4301 any other type of contract settlement. This subsection does not  
4302 prohibit the payment of earned leave and benefits in accordance  
4303 with the district's leave and benefits policies which were  
4304 accrued by the employee before the contract terminates.

4305 (25)~~(26)~~ ADOPT RULES.—Adopt rules pursuant to ss.  
4306 120.536(1) and 120.54 to implement this section.

4307 Section 199. Present paragraph (c) of subsection (3) of  
4308 section 1008.31, Florida Statutes, is redesignated as paragraph  
4309 (e), and new paragraphs (c) and (d) are added to that  
4310 subsection, to read:

4311 1008.31 Florida's K-20 education performance accountability  
4312 system; legislative intent; mission, goals, and systemwide  
4313 measures; data quality improvements.—

4314 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide  
4315 data required to implement education performance accountability  
4316 measures in state and federal law, the Commissioner of Education  
4317 shall initiate and maintain strategies to improve data quality  
4318 and timeliness. All data collected from state universities  
4319 shall, as determined by the commissioner, be integrated into the  
4320 K-20 data warehouse. The commissioner shall have unlimited  
4321 access to such data solely for the purposes of conducting

20101412er

4322 studies, reporting annual and longitudinal student outcomes, and  
4323 improving college readiness and articulation. All public  
4324 educational institutions shall provide data to the K-20 data  
4325 warehouse in a format specified by the commissioner.

4326 (c) The commissioner shall continuously monitor and review  
4327 the collection of paperwork, data, and reports by school  
4328 districts and complete an annual review of such collection no  
4329 later than June 1 of each year. The annual review must include  
4330 recommendations for consolidating paperwork, data, and reports,  
4331 wherever feasible, in order to reduce the burdens on school  
4332 districts.

4333 (d) By July 1 of each year, the commissioner shall prepare  
4334 a report assisting the school districts in eliminating or  
4335 consolidating paperwork, data, and reports by providing  
4336 suggestions, technical assistance, and guidance.

4337 Section 200. This act shall take effect upon becoming a  
4338 law.